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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

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SB 189 Original DIGEST 2024 Regular Session Coussan

Present law (R.S. 39:1731 et seq.) provides for the "Louisiana Small Business Procurement Act" and requires the commissioner of administration to provide for a set-aside not to exceed 10% of total state procurement of goods and services to small and disadvantaged businesses and women owned businesses.

Proposed law retains present law.

Proposed law adds a preference of at least 10% of the value of the procurements designated for set-aside awards, if possible, for service-connected disabled veteran owned small businesses. Requires the commissioner to award the balance of the set-aside contracts to other small businesses if small businesses owned and operated by service-connected disabled veterans are unable to perform at least 10% of the set-aside awards.

Proposed law defines "service-connected disabled veteran owned small business" as any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other legal entity that has not less than 51% ownership by a veteran of the U.S. Armed Forces with a service-connected disability who also controls and operates it, and meets the criteria for certification by the secretary of the Dept. of Economic Development. For the purposes of this definition, "control" means exercising the power to make policy decisions and "operate" means being actively involved in the day-to-day management. Service-connected disability shall be confirmed through appropriate documents from the U.S. Dept. of Veterans Affairs or the La. Dept. of Veterans Affairs.

Proposed law requires the La. Dept. of Veterans Affairs to publicize the provisions of the set-aside program and provide assistance through other management or financial assistance programs for service-connected disabled veterans.

Proposed law requires the commissioner of administration to submit an annual report to the La. Dept. of Veterans Affairs, indicating the progress being made toward the goals of proposed law during each fiscal year, including the total dollar value and number of set-aside contracts awarded to small businesses owned and operated by service-connected disabled veterans.

Present law (R.S. 39:2174) requires the commissioner of administration to establish annual goals for veteran and service-connected disabled veteran-owned small entrepreneurship participation in state procurement and public contracts.

Proposed law requires the annual goals to be established in accordance with the provisions of the "Louisiana Small Business Procurement Act" and otherwise retains present law.

Effective upon signature of the governor or lapse of time of time for gubernatorial action.

(Amends the heading of Part VIII of Chapter 17 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950 and R.S. 39:1732(3), (4), (5), and (6), 1733(F) and (G), 1734, 1736(intro para), 1736(5), and 2174; Adds R.S. 39:1732(7), 1733(H), and 1736(6))