

FIRST REGULAR SESSION

HOUSE BILL NO. 880

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

1825H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 34.074, RSMo, and to enact in lieu thereof one new section relating to preference to disabled veterans in state and political subdivision contracts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 34.074, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 34.074, to read as follows:

34.074. 1. As used in this section, the term "service-disabled veteran" means any individual who is disabled as certified by the appropriate federal agency responsible for the administration of veterans' affairs.

2. As used in this section, the term "service-disabled veteran business" means a business concern:

(1) Not less than fifty-one percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than fifty-one percent of the stock of which is owned by one or more service-disabled veterans; and

(2) The management and daily business operations of which are controlled by one or more service-disabled veterans.

3. In letting contracts for the performance of any job or service, all agencies, departments, institutions, and other entities of this state and of each political subdivision of this state shall give a three-point bonus preference to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business.

4. In implementing the provisions of subsection 3 of this section, the following shall apply:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (1) The commissioner of administration shall have the goal of ~~[three]~~ **five** percent of all
19 such contracts described in subsection 3 of this section to be let to such veterans;

20 (2) If no or an insufficient number of such veterans doing business in this state submit
21 a bid or proposal for a contract let by an agency, department, institution, or other entity of the
22 state or a political subdivision, such goal shall not be required and the provisions of subdivision
23 (1) of this subsection shall not apply;

24 (3) The commissioner of administration may promulgate rules in order to implement the
25 provisions of this section. Any rule or portion of a rule, as that term is defined in section
26 536.010, that is created under the authority delegated in this section shall become effective only
27 if it complies with and is subject to all of the provisions of chapter 536 and if applicable, section
28 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
29 general assembly pursuant to chapter 536 to review, to delay the effective date, or disapprove and
30 annul a rule **are** subsequently held unconstitutional, then the grant of rulemaking authority and
31 any rule proposed or adopted after August 28, 2010, shall be invalid and void.

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