

State of Arkansas  
86th General Assembly  
Regular Session, 2007

# A Bill

HOUSE BILL 1646

By: Representative Wood

## For An Act To Be Entitled

AN ACT TO ALLOW VETERAN'S PREFERENCE IN THE  
PROCUREMENT OF STATE CONTRACTS; AND FOR OTHER  
PURPOSES.

## Subtitle

TO ALLOW VETERAN'S PREFERENCE IN THE  
PROCUREMENT OF STATE CONTRACTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 19, Chapter 11, Subchapter 2 is amended  
to add an additional section to read as follows:

19-11-264. Veteran's preference.

(a) As used in this section:

(1) "Qualified disabled veteran" means a business entity that is  
fifty-one percent (51%) or more owned by one (1) or more veterans with a  
service-connected disability;

(2) "Service-connected disability" means a disability incurred  
or aggravated in the line of duty in the active military, naval, or air force  
as described in 38 U.S.C. 101(16); and

(3) "Veteran" means a person who served in the active military,  
naval, or air service and who was discharged or released from his or her  
service under conditions other than dishonorable.

(b)(1) In awarding a contract under this chapter, the Office of State  
Procurement shall give a preference up to ten percent (10%) of the amount of  
the contract to a qualified disabled veteran.

(2) If the qualified disabled veteran otherwise meets the



1 requirements of the contract solicitation and with the preference is the  
2 lowest bidder, the Office of State Procurement shall enter into a procurement  
3 contract with the qualified disabled veteran under this section.

4 (3) If two (2) or more qualified disabled veterans are the  
5 lowest bidders on a contract, all other things being equal, the qualified  
6 veteran with the lowest bid shall be awarded the contract under this section.

7 (c)(1) It is the goal of the Office of State Procurement to award each  
8 year not less than three percent (3%) of the total expenditures for  
9 construction, goods, and services to qualified disabled veterans.

10 (2) The Office of State Procurement may count toward the three  
11 percent (3%) yearly goal described in this subsection that portion of all  
12 procurement contracts in which the business entity that received the  
13 procurement contract subcontracts with a qualified disabled veteran.

14 (3) Each year, the Office of State Procurement shall report to  
15 the Legislative Council on all of the following for the immediately preceding  
16 twelve-month period:

17 (A) The number of qualified disabled veterans who  
18 submitted a bid for a state procurement contract;

19 (B) The number of qualified disabled veterans who entered  
20 into procurement contracts with this state and the total value of those  
21 procurement contracts;

22 (C) Whether the Office of State Procurement achieved the  
23 goal described in this subsection; and

24 (D) The recommendations described in subsection (d) of  
25 this section.

26 (d) Each year, the Office of State Procurement shall review the  
27 progress of all state agencies in meeting the three percent (3%) goal with  
28 the input from statewide veterans service organizations and from the business  
29 community, including businesses owned by qualified disabled veterans, and  
30 shall make recommendations to the Legislative Council regarding continuation,  
31 increases, or decreases in the percentage goal. The recommendations shall be  
32 based upon the number of businesses that are owned by qualified disabled  
33 veterans and on the continued need to encourage and promote businesses owned  
34 by disabled veterans.

35 (e) To assist the Office of State Procurement in reaching the goal  
36 described in subsection (c) of this section, the Governor may recommend to

1 the legislature changes in programs to assist businesses owned by qualified  
2 disabled veterans.