

1 State of Arkansas  
2 88th General Assembly  
3 Regular Session, 2011  
4

# A Bill

HOUSE BILL 1790

5 By: Representative J. Edwards  
6

## For An Act To Be Entitled

8 AN ACT TO AUTHORIZE A PREFERENCE FOR SERVICE-DISABLED  
9 VETERANS IN THE AWARDING OF STATE CONTRACTS AND  
10 CONTRACTS AWARDED BY POLITICAL SUBDIVISIONS OF THE  
11 STATE; AND FOR OTHER PURPOSES.  
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## Subtitle

14 TO AUTHORIZE A PREFERENCE FOR SERVICE-  
15 DISABLED VETERANS IN THE AWARDING OF  
16 STATE CONTRACTS AND CONTRACTS AWARDED BY  
17 POLITICAL SUBDIVISIONS OF THE STATE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 19, Chapter 11, Subchapter 1 is amended  
24 to add an additional section to read as follows:

25 19-11-106. Preference for service-disabled veterans.

26 (a) As used in this section:

27 (1) "Service-disabled veteran" means any individual who:

28 (A) Is disabled as designated by the United States  
29 Department of Veterans Affairs; and

30 (B) Has been a resident of the State of Arkansas for at  
31 least two (2) years; and

32 (2) "Business of a service-disabled veteran" means a business  
33 that:

34 (A) Not less than fifty-one percent (51%) of which is  
35 owned by one (1) or more service-disabled veterans, or in the case of any  
36 publicly owned business, not less than fifty-one percent (51%) of the stock



1 of which is owned by one (1) or more service-disabled veterans; and

2 (B) The management and daily business operations of which  
3 are controlled by one (1) or more service-disabled veterans.

4 (b) Except as provided under subsection (d) of this section, in  
5 letting contracts for the performance of any product or service, all  
6 agencies, departments, institutions, and other entities of this state and  
7 each political subdivision of this state shall give preference to a business  
8 of a service-disabled veteran doing business as Arkansas firms, corporations,  
9 or individuals, or that maintain Arkansas offices or places of business if:

10 (1) The quality of performance promised is equal or better than  
11 the best offer; or

12 (2) The price quoted is:

13 (A) Within ten percent (10%) of the best offer when the  
14 offer is less than one hundred thousand dollars (\$100,000);

15 (B) Within eight percent (8%) of the best offer when the  
16 offer is one hundred thousand dollars (\$100,000) but less than five hundred  
17 thousand dollars (\$500,000);

18 (C) Within five percent (5%) of the best offer when the  
19 offer is five hundred thousand dollars (\$500,000) but less than one million  
20 dollars (\$1,000,000); or

21 (D) Within two percent (2%) of the best offer when the  
22 offer is one million dollars (\$1,000,000) or more.

23 (c) Except as provided under subsection (d) of this section, the  
24 agencies, departments, institutions, and other entities of this state and  
25 each political subdivision of this state shall have the goal of three percent  
26 (3%) of all contracts set aside for businesses of service-disabled veterans.

27 (d) If no businesses of service-disabled veterans in this state meet  
28 the quality of performance and price standards required in this section, the  
29 preference under this section is not required.

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