

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

As Engrossed: H3/9/11 H3/11/11

# 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 FOR  
10 OTHER PURPOSES.  
11

## Subtitle

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

23 *19-11-106. Preference for service-disabled veterans.*

24 *(a) As used in this section:*

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

26 *(A) Is disabled as designated by the United States*  
27 *Department of Veterans Affairs; and*

28 *(B) Has been a resident of the State of Arkansas for at*  
29 *least two (2) years; and*

30 *(2) "Business of a service-disabled veteran" means a business*  
31 *that:*

32 *(A) Not less than fifty-one percent (51%) of which is*  
33 *owned by one (1) or more service-disabled veterans; and*

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

36 *(b)(1) Except as provided under subsection (c) of this section, in*



1 letting contracts for the performance of any product or service, all  
2 agencies, departments, institutions, and other entities of this state shall  
3 give preference to a business of a service-disabled veteran if:

4 (A) The quality of performance is equal to or better than  
5 the best offer;

6 (B) The service-disabled veteran's bid does not exceed  
7 three percent (3%) of the price of the successful bid made by a bidder who is  
8 not a service-disabled veteran; and

9 (C) The service-disabled veteran agrees to meet the price  
10 and other bid conditions that otherwise would have been awarded to a bidder  
11 who is not a service-disabled veteran;

12 (2) This subsection does not require a state contracting official  
13 to award a bid to a service-disabled veteran if the awarding of the bid  
14 results in a higher bid price to the State of Arkansas.

15 (c) If no businesses of service-disabled veterans in this state meet  
16 the quality of performance and price standards required in this section, the  
17 preference under this section is not required.

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19 /s/J. Edwards  
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