

1 AN ACT relating to business opportunities for United States military members and  
2 veterans.

3 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

4 ➔Section 1. KRS 42.0146 is amended to read as follows:

5 (1) For purposes of this section:

6 (a) "Disabled veteran" means an individual, domiciled in Kentucky, who has  
7 served on active duty in the Armed Forces, has been separated therefrom  
8 under honorable or general conditions, and has established the present  
9 existence of a service-connected disability or is receiving compensation,  
10 disability retirements benefits, or pension because of a public statute  
11 administered by the United States Department of Veterans Affairs or  
12 Department of Defense, or was terminated from active duty by the Department  
13 of Defense because of a disability; and

14 (b) "Disabled veteran-owned business" means a business:

- 15 1. Where a disabled veteran has at least fifty-one percent (51%) ownership;
- 16 2. That is independently owned and operated;
- 17 3. That does not exceed the applicable size standards for its industry, as  
18 determined by the United States Small Business Administration;
- 19 4. That has ***at least one (1) service-disabled veteran manage day-to-day***  
20 ***operations and make long-term decisions***~~[been owned and operated by~~  
21 ~~the disabled veteran for at least a full calendar or fiscal year]; ***or***~~[and]~~~~
- 22 5. ***Has been verified as a service-disabled veteran-owned small business***  
23 ***by the Vets First Verification Program of the United States***  
24 ***Department of Veterans Affairs Center for Verification and***  
25 ***Evaluation***~~[For which the disabled veteran has filed a business tax~~  
26 ~~return consisting of a full calendar or fiscal year].~~

27 (2) The Office of Equal Employment Opportunity and Contract Compliance shall

1       oversee a program that provides certification of a disabled veteran-owned business  
2       in order to encourage growth among businesses owned by disabled veterans within  
3       the state and assist those businesses in competing for work in other states that  
4       require certification by a statewide body. This certification does not provide a  
5       preference in state procurement, nor does it create a point system or set aside for  
6       disabled veteran-owned businesses.

7       (3) In order to apply for certification, a disabled veteran shall provide proof of his or  
8       her disability. Proof shall be in the form of **a:**

9       **(a)** Department of Defense Form DD 214;~~;~~

10       **(b)** United States Department of Veterans Affairs disability letter;~~;~~

11       **(c)** ~~Different~~~~Other~~ United States Department of Veterans Affairs documentation  
12       establishing a service-connected disability; **or**

13       **(d)** Document showing verification as a service-disabled veteran-owned small  
14       business by the Vets First Verification Program of the United States  
15       Department of Veterans Affairs Center for Verification and Evaluation.

16       (4) Certification as a service-disabled veteran-owned small business by the Vets First  
17       Verification Program of the United States Department of Veterans Affairs Center  
18       for Verification and Evaluation shall be considered as meeting the criteria for  
19       this program.

20       **(5)** The Finance and Administration Cabinet shall promulgate any administrative  
21       regulations necessary to create and manage the disabled veteran-owned business  
22       certification program, which may include but is not limited to additional  
23       certification requirements, the application process, onsite visitation by the Office of  
24       Equal Employment Opportunity and Contract Compliance, and recertification.