

# ASSEMBLY, No. 5106

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 5, 2019

**Sponsored by:**

**Assemblyman RYAN E. PETERS**

**District 8 (Atlantic, Burlington and Camden)**

**Assemblyman MATTHEW W. MILAM**

**District 1 (Atlantic, Cape May and Cumberland)**

**Assemblyman R. BRUCE LAND**

**District 1 (Atlantic, Cape May and Cumberland)**

**SYNOPSIS**

Removes principal place of business requirement of “Set-Aside Act for Disabled Veterans’ Businesses.”

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the principal place of business requirement of  
2 the “Set-Aside Act for Disabled Veterans’ Businesses,” and  
3 amending P.L.2015, c.116.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. Section 2 of P.L.2015, c.116 (C.52:32-31.2) is amended to  
9 read as follows:

10 2. As used in this act:

11 "Contracting agency" means the State or any board, commission,  
12 committee, authority or agency of the State.

13 "Department" means the Department of the Treasury.

14 "Disabled veteran" means a resident of this State who is certified  
15 by the federal Department of Veterans Affairs as having any degree  
16 of service-connected disability.

17 "Disabled veterans' business" means a business which **【**has its  
18 principal place of business in the State,**】** is independently owned  
19 and operated and at least 51% of which is owned and controlled by  
20 persons who are disabled veterans or a business which **【**has its  
21 principal place of business in this State and**】** has been officially  
22 verified by the United States Department of Veterans Affairs as a  
23 service disabled veteran-owned business for the purposes of  
24 department contracts pursuant to federal law.

25 "Disabled veterans' business set-aside contract" means a contract  
26 for goods, equipment, construction or services which is designated  
27 as a contract with respect to which bids are invited and accepted  
28 only from disabled veterans' businesses, or a portion of a contract  
29 when that portion has been so designated.

30 (cf: P.L.2015, c.116, s.2)  
31

32 2. This act shall take effect immediately.  
33  
34

### 35 STATEMENT

36  
37 The “Set-Aside Act for Disabled Veterans’ Businesses” defines a  
38 disabled veterans' business as a business which has its principal  
39 place of business in the State, is independently owned and operated,  
40 and at least 51% of which is owned and controlled by persons who  
41 are disabled veterans, or a business which has its principal place of  
42 business in this State and has been officially verified by the United  
43 States Department of Veterans Affairs as a service disabled veteran-  
44 owned business for the purposes of department contracts pursuant  
45 to federal law. The act also includes a goal that contracting agencies  
46 will award at least 3% of their contracts to disabled veterans'  
47 businesses.

**EXPLANATION** – Matter enclosed in bold-faced brackets **【thus】** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

**A5106 PETERS, MILAM**

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1       This bill removes the requirement that the businesses have a  
2       principal place of business in the State of New Jersey. This change  
3       may increase the pool of businesses and subcontractors eligible to  
4       compete for the State contracts, which may help contracting  
5       agencies meet the goal that they award at least of 3% of their  
6       contracts to disabled veterans' businesses.