

**ASSEMBLY, No. 1360**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

**Sponsored by:**

**Assemblyman DANIEL R. BENSON**

**District 14 (Mercer and Middlesex)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Assemblywoman CAROL A. MURPHY**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblyman Mukherji and Assemblywoman McKnight**

**SYNOPSIS**

Authorizes DMVA to grant preference in awarding contracts to vendors that employ veterans.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1   **AN ACT** authorizing the DMVA to grant a preference in awarding  
2       contracts to vendors that employ veterans and supplementing  
3       Title 38A of the New Jersey Statutes.

4  
5       **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6       *of New Jersey:*

7  
8       1. In awarding contracts for the purchase of goods or services  
9       by the Department of Military and Veterans' Affairs, with or  
10      without public advertising for bids, the Adjutant General may grant  
11      a preference to a vendor based upon the number of full-time  
12      employees of that vendor who are veterans. If the Adjutant General  
13      determines to grant such a preference for a particular contract, the  
14      Adjutant General shall determine for each of the top three vendors  
15      the number of each vendor's full-time employees and the number of  
16      each vendor's full-time employees who are veterans. The contract  
17      shall be awarded to the vendor among the top three vendors having  
18      the highest percentage of its employees who are veterans. In  
19      making this determination, the Adjutant General may rely on  
20      information submitted by each vendor. However, the Adjutant  
21      General shall verify that information within 30 calendar days and if  
22      it is determined that any of the top three vendors has knowingly and  
23      willfully misrepresented the number of its employees or the number  
24      of its employees who are veterans, the Adjutant General shall  
25      immediately debar that vendor and any principal of that vendor  
26      from contracting with the department for a period of five years. If  
27      the vendor that has been awarded the contract committed the  
28      misrepresentation, the Adjutant General shall also terminate that  
29      contract.

30      The Department of Military and Veterans' Affairs, pursuant to  
31      the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1  
32      et seq., shall adopt such rules and regulations as may be necessary  
33      to implement the provisions of this section.

34      As used in this section:

35      "principal" means an officer, director, owner, or partner of a  
36      vendor, or any person having primary management or supervisory  
37      responsibility within a vendor; and

38      "veteran" means any person who was honorably discharged after  
39      serving in any branch of the armed forces of the United States for at  
40      least 90 days and any disabled veteran regardless of the length of  
41      service in the armed forces who is certified by the federal  
42      Department of Veterans Affairs as having any degree of service-  
43      connected disability.

44      This act shall be known and may be cited as the "Boosting Rates  
45      of American Veteran Employment (BRAVE) Act."

46  
47      2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to help alleviate the high rate of unemployment among military veterans by creating an incentive for vendors seeking contracts with the Department of Military and Veterans' Affairs to employ veterans.

The bill provides that in awarding contracts for the purchase of goods or services by the department, with or without public advertising for bids, the Adjutant General may grant a preference to vendors based upon the number of full-time employees of that vendor who are veterans. If the Adjutant General determines to grant such a preference for a particular contract, the Adjutant General will determine for each of the top three vendors the number of the vendor's full-time employees and the number of the vendor's full-time employees who are veterans. The contract will be awarded to the vendor having the highest percentage of such employees who are veterans. The bill defines "veteran" to include a disabled veteran.

In making this determination, the Adjutant General may rely on information submitted by each vendor. However, the Adjutant General must verify that information within 30 calendar days and if it is determined that any business has knowingly and willfully misrepresented the number of its employees or the number of its employees who are veterans, the Adjutant General will immediately debar that business and its principals from contracting with the department for a period of five years. If the misrepresentation was committed by the vendor that has been awarded the contract, the Adjutant General will also terminate that contract.

The department of Military and Veterans' Affairs, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq., will adopt such rules and regulations as may be necessary to implement the bill's provisions.

This act will be known and may be cited as the "Boosting Rates of American Veteran Employment (BRAVE) Act."