

ASSEMBLY, No. 5600

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 5, 2021

Sponsored by:

Assemblywoman CLEOPATRA G. TUCKER

District 28 (Essex)

Assemblywoman DIANNE C. GOVE

District 9 (Atlantic, Burlington and Ocean)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Assemblyman Verrelli and Assemblywoman Dunn

SYNOPSIS

Establishes price preference program on State contracts for businesses owned by women veterans or women in military service.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/9/2021)

1 **AN ACT** concerning preferences for State contracts for businesses
2 owned by women veterans or women serving in the military, and
3 supplementing P.L.1954, c.84 (C.52:34-6 et seq.).
4

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

8 1. In awarding a contract which is paid with State funds and
9 publicly advertised for bids, a State agency shall give a preference of
10 up to 10 percent of the amount of the contract to a qualified business
11 that is owned by a woman veteran or a woman serving in the military.
12 If the qualified business otherwise meets the requirements of the
13 contract solicitation and with the preference is the lowest bidder, a
14 State agency shall enter into a procurement contract with that
15 business. If two or more such businesses are the lowest bidders on a
16 contract, the business with the lowest bid shall be awarded the
17 contract.

18 If a woman owner dies during the term of a contract or in the
19 bidding process for a contract and the surviving spouse acquires the
20 woman's ownership interest in the business, the business shall remain
21 eligible for the preference and that contract during the term of the
22 contract or the bidding process for that contract.

23 As used in this act:

24 "Woman veteran" means a resident of this State who identifies as
25 female and was honorably discharged or released under conditions
26 other than dishonorable from active service in a branch of the Armed
27 Forces of the United States; and

28 "Woman serving in the military" means a resident of this State
29 who identifies as female and is serving in the United States Armed
30 Forces on full time active duty status or who has completed Initial
31 Entry Training.

32 "Qualified business" means a business which (1) has its principal
33 place of business in the State, (2) is independently owned and
34 operated, (3) at least 51 percent of which is owned and controlled by
35 one or more persons who are women veterans or women serving in
36 the military, and (4) the management and daily business operations
37 are controlled by one or more women veterans or women serving in
38 the military, or, in the case of a woman veteran with a permanent and
39 severe disability, are controlled by the spouse of such veteran.
40

41 2. This act shall take effect immediately.
42
43

44 STATEMENT
45

46 This bill establishes a price preference program for businesses
47 owned by women who are veterans or who are serving in the United
48 States Armed Forces that are competing for State contracts.

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1 Under current law, certain purchases or contracts payable out of
2 State funds are publicly advertised and competitively bid on by
3 businesses. The State then awards the contract to the lowest bidder.

4 This bill would establish a price preference of up to 10 percent of
5 the amount of the contract to a qualified business owned by a woman
6 veteran or a woman serving in the military. If the business meets the
7 requirements of the contract solicitation and is the lowest bidder due
8 to the preference, a State agency will enter into a procurement
9 contract with that business. If two or more qualified businesses bid
10 on a contract utilizing the preference program, the business with the
11 lowest bid will be awarded the contract.

12 This bill defines “woman veteran” to mean a resident of this State
13 who identifies as female and was honorably discharged or released
14 under conditions other than dishonorable from active service in a
15 branch of the Armed Forces of the United States, and defines “woman
16 serving in the military” to mean a resident of this State who identifies
17 as female and is serving in the United States Armed Forces on full
18 time active duty status, or who has completed Initial Entry Training.

19 This bill defines “qualified business” to mean an independently
20 owned and operated business that has its principal place of business
21 in the State, at least 51 percent of which is owned and controlled by
22 persons who are women veterans or women serving in the military,
23 and the management and daily business operations are controlled by
24 one or more women veterans or women serving in the military, or, in
25 the case of a woman veteran with a permanent and severe disability,
26 are controlled by the spouse of such veteran.