

SENATE, No. 3765

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 11, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

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: 5/11/2021)

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.).

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

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
10 of up to 10 percent of the amount of the contract to a qualified
11 business that is owned by a woman veteran or a woman serving in
12 the military. If the qualified business otherwise meets the
13 requirements of the contract solicitation and with the preference is
14 the lowest bidder, a State agency shall enter into a procurement
15 contract with that business. If two or more such businesses are the
16 lowest bidders on a contract, the business with the lowest bid shall
17 be awarded the 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
21 remain eligible for the preference and that contract during the term
22 of the 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
27 Armed 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.

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

42 2. This act shall take effect immediately.

STATEMENT

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

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 woma
6 n veteran or a woman serving in the military. If the business meets
7 the requirements of the contract solicitation and is the lowest bidder
8 due 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
13 State who identifies as female and was honorably discharged or
14 released under conditions other than dishonorable from active
15 service in a branch of the Armed Forces of the United States, and
16 defines “woman serving in the military” to mean a resident of this
17 State who identifies as female and is serving in the United States
18 Armed Forces on full time active duty status, or who has completed
19 Initial Entry Training.

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