

52:32-31.4
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2023 **CHAPTER:** 273

NJSA: 52:32-31.4 Revises number of qualified disabled veterans' businesses required to designate set-aside contract from three to two.

BILL NO: S2249 (Substituted for A4211/506 (ACS))

SPONSOR(S) Singleton, Troy and others

DATE INTRODUCED: 3/8/2022

COMMITTEE: **ASSEMBLY:** Military & Veterans' Affairs

SENATE: Military & Veterans' Affairs

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** 01/08/2024

SENATE: 05/26/2022

DATE OF APPROVAL: 1/16/2024

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (S2249 enacted) Yes

S2249

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

A4211/506 (ACS)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Matthew Fazelpoor, 'Murphy takes action on slew of legislation', *NJBIZ*, 17 Jan 2024

CL/MM

P.L. 2023, CHAPTER 273, *approved January 16, 2024*

Senate, No. 2249

1 **AN ACT** concerning set-aside contracts for disabled veterans and
2 amending P.L.2015, c.116.

3

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

6

7 1. Section 4 of P.L.2015, c.116 (C.52:32-31.4) is amended to
8 read as follows:

9 4. a. Notwithstanding the provisions of any State bidding or
10 public contracts laws to the contrary, but subject to any supervening
11 federal statutes or rules, contracting agencies, in consultation with
12 the department, may designate a contract, or a portion thereof, for
13 goods, equipment, construction or services to be awarded by a
14 contracting agency as a disabled veterans' business set-aside
15 contract pursuant to the goals and procedures established in this act,
16 whenever there is a reasonable expectation that bids may be
17 obtained from at least **[three]** two qualified disabled veterans'
18 businesses capable of furnishing the desired goods, equipment,
19 construction or services at a fair and reasonable price. The
20 designation shall be made prior to the advertisement for bids.

21 b. When application of the goals and procedures established
22 under this act would jeopardize the State's participation in a
23 program from which the State receives federal funds or other
24 benefits, the contracting agency may, in consultation with the
25 department, withdraw the affected contracts from consideration or
26 calculation.

27 (cf: P.L.2015, c.116, s.4)

28

29 2. This act shall take effect immediately.

30

31

32 STATEMENT

33

34 This bill revises the number of qualified disabled veterans'
35 businesses required to set aside a contract under the "Set-Aside Act
36 for Disabled Veterans' Businesses" from three businesses to two
37 businesses.

38 Designating set-aside contracts for disabled veterans' businesses
39 is difficult given the relatively low number of registered disabled
40 veterans' businesses in this State. Neighboring states as well as the
41 federal government use a "rule of two" when designating set-aside

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.

S2249

2

1 contracts for disabled veterans' businesses. This bill updates New
2 Jersey's requirements to reduce the number of businesses needed to
3 designate a set-aside contract from three to two.

4

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6

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8 Revises number of qualified disabled veterans' businesses
9 required to designate set-aside contract from three to two.

SENATE, No. 2249

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 8, 2022

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

**Senator Cruz-Perez, Assemblywoman Lopez, Assemblyman Bergen,
Assemblywomen Piperno, Eulner, Assemblymen Wirths and Space**

SYNOPSIS

Revises number of qualified disabled veterans' businesses required to designate set-aside contract from three to two.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/8/2024)

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ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 2249

STATE OF NEW JERSEY

DATED: NOVEMBER 30, 2023

The Assembly Military and Veterans' Affairs Committee reports favorably Senate Bill No. 2249.

This bill revises the number of qualified disabled veterans' businesses required to set aside a contract under the "Set-Aside Act for Disabled Veterans' Businesses" from three businesses to two businesses.

Designating set-aside contracts for disabled veterans' businesses is difficult given the relatively low number of registered disabled veterans' businesses in this State. Neighboring states as well as the federal government use a "rule of two" when designating set-aside contracts for disabled veterans' businesses. This bill updates New Jersey's requirements to reduce the number of businesses needed to designate a set-aside contract from three to two.

As reported by the committee, Senate Bill No. 2249 is identical to the Assembly Committee Substitute for Assembly Bill Nos. 4211 and 506, which was also reported by the committee on this date.

SENATE MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

SENATE, No. 2249

STATE OF NEW JERSEY

DATED: MARCH 21, 2022

The Senate Military and Veterans Affairs Committee reports favorably Senate Bill No. 2249.

This bill revises the number of qualified disabled veterans' businesses required to set aside a contract under the "Set-Aside Act for Disabled Veterans' Businesses" from three businesses to two businesses.

Designating set-aside contracts for disabled veterans' businesses is difficult given the relatively low number of registered disabled veterans' businesses in this State. Neighboring states as well as the federal government use a "rule of two" when designating set-aside contracts for disabled veterans' businesses. This bill updates New Jersey's requirements to reduce the number of businesses needed to designate a set-aside contract from three to two.

ASSEMBLY, No. 4211

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED JUNE 9, 2022

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

SYNOPSIS

Revises number of qualified disabled veterans' businesses required to designate set-aside contract from three to two.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/20/2022)

1 AN ACT concerning set-aside contracts for disabled veterans and
2 amending P.L.2015, c.116.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
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ASSEMBLY MILITARY AND VETERANS' AFFAIRS
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 4211 and 506

STATE OF NEW JERSEY

DATED: NOVEMBER 30, 2023

The Assembly Military and Veterans' Affairs Committee reports favorably an Assembly Committee Substitute for Assembly Bill Nos. 4211 and 506.

This substitute revises the number of qualified disabled veterans' businesses required to set aside a contract under the "Set-Aside Act for Disabled Veterans' Businesses" from three businesses to two businesses.

Designating set-aside contracts for disabled veterans' businesses is difficult given the relatively low number of registered disabled veterans' businesses in this State. Neighboring states as well as the federal government use a "rule of two" when designating set-aside contracts for disabled veterans' businesses. This substitute updates New Jersey's requirements to reduce the number of businesses needed to designate a set-aside contract from three to two.

As reported by the committee, the committee substitute for Assembly Bill Nos. 4211 and 506 is identical to Senate Bill No. 2249, which was also reported by the committee on this date.

Governor Murphy Signs Legislation to Support Disabled Veteran-Owned Businesses

01/16/2024

TRENTON – Governor Phil Murphy today signed S2249/A4211, which revises the number of disabled veterans' businesses required to designate a set-aside contract from three to two. The "Set-Aside Act for Disabled Veterans' Businesses" had established a goal for contracting agencies to set aside at least three percent of their contracts for disabled veterans' businesses, but the act required that at least three disabled veterans' businesses be reasonably likely to bid for a contract for the set-aside to apply to the contract. The legislation signed today underscores Governor Murphy's commitment to promoting economic opportunity among New Jersey veterans.

"It is our obligation – not just as elected officials, but as fellow Americans – to do everything in our power to dismantle obstacles to opportunity for our state's veterans," said Governor Murphy. "In recognition of the extraordinary sacrifices made by our disabled veterans and the considerable challenges they continue to face, this legislation will provide a much-needed boost to veteran-owned businesses striving to secure a foothold in our growing economy."

"This law reflects our collective commitment to supporting Veteran-owned businesses," said Brig. Gen. Lisa J. Hou, Commissioner of the Department of Military and Veteran Affairs and The Adjutant General of New Jersey. "I encourage all Veteran business owners to register, and continue to update their credentials with New Jersey Start." "The Department of Military and Veteran Affairs stands ready to provide assistance."

"I applaud the Legislature and Governor as they take additional action to help our state's disabled veteran-owned businesses. While in Congress, I've worked to make sure that, at over two decades of war, our nation invests in our returning veterans, whether they're looking to start their own businesses, get an education with the post-9/11 GI Bill, or buy a home with a VA home loan guarantee. I will continue to fight to make sure our veterans get all the benefits they've earned," said Navy veteran and Congresswoman Mikie Sherrill.

"As a veteran, myself, I know first-hand the difficulties our men and women in uniform face when they return home. The bill signed by Governor Murphy today will be of tremendous value to our veteran community and can help ease the burden so many are forced to carry," said Congressman Bill Pascrell, Jr. "This new law will help veteran small business owners access the means and resources they need to achieve success in their industry. This will benefit our communities and, most importantly, aid those who have given so much for our country."

"In recognition of the many sacrifices men and women in the military have made in service to our nation, we must do all that we can to support veteran-owned businesses here at home," said Senator Troy Singleton. "Providing protections and simplifying the process are concrete ways we can assist these courageous individuals as they seek to build, establish and grow their civilian livelihoods."

"New Jersey State government should be doing all it can to be a partner in assisting businesses owned by disabled veterans," said Senator Steve Oroho, one of the bill sponsors whose Senate term ended last week. "By making some small but crucial changes, we can cut government red tape, better serve our community of disabled veterans, and make New Jersey a more competitive place for business and job growth. I'm proud this is one of my final bills signed into law."

"This legislation will align New Jersey with both federal and neighboring states' requirements, all of which use the 'rule of two' when designating set-aside contracts for disabled veterans' businesses," said former Assemblyman Dan Benson. "This, in turn, will make it easier for these enterprises to successfully bid on state contracts. We owe our veterans a debt of gratitude and this bill signing is the latest in a series of steps New Jersey has taken to support its veteran-owned small business community."

"With this bill, we reinforce our commitment to supporting our disabled veterans by streamlining the process for designating set-aside contracts," said Assemblywoman Verlina Reynolds-Jackson. "By reducing the requirement from three to two qualified disabled veterans' businesses, New Jersey is not only aligning with national standards but also fostering greater opportunities for veterans to participate in public contracts."

"The NJ State Veterans Chamber of Commerce is incredibly thankful to Governor Murphy and the lawmakers responsible for moving this bill forward and signing it into law," said Colonel Jeff Cantor, Founder & CEO, NJ State Veterans Chamber of Commerce. "This is the first time in the history of our state that state agencies can set aside prime contracts for Disabled Veteran owned businesses. Since there are so few disabled veteran owned businesses, and since the law required three qualified bidders to set aside a contract, it was impossible to set aside a prime contract to a disabled veteran owned business. Now the Governor is reducing that requirement from three to two qualified businesses, we will likely see a significant number of prime contracts set aside. We sincerely thank the Governor for working with the NJ State Veterans Chamber of Commerce, who has been advocating for this and sign it into law. We appreciate Governor Murphy on his focus on improving the lives of New Jersey's veterans and the New Jersey veterans business community."