

AN ACT

relating to the consideration of ownership interests of disabled veterans in determining whether a business is a historically underutilized business for purposes of state contracting.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2161.001(3), Government Code, is amended to read as follows:

(3) "Economically disadvantaged person" means a person who:

(A) is economically disadvantaged because of the person's identification as a member of a certain group, including:

(i) Black Americans;

(ii) ~~and~~ Hispanic Americans;

(iii) ~~and~~ women;

(iv) ~~and~~ Asian Pacific Americans;

(v) ~~and~~ Native Americans; ~~and~~

(vi) veterans as defined by 38 U.S.C.

Section 101(2) who have suffered at least a 20 percent service-connected disability as defined by 38 U.S.C. Section 101(16); and

(B) ~~who~~ has suffered the effects of discriminatory practices or other similar insidious circumstances over which the person has no control.

SECTION 2. Section 2161.002, Government Code, is amended by

1 adding Subsection (d) to read as follows:

2 (d) The comptroller shall adopt rules to provide goals for
3 increasing the contract awards for the purchase of goods or
4 services by the commission and other state agencies to businesses
5 that qualify as historically underutilized businesses because the
6 businesses are owned or owned, operated, and controlled, as
7 applicable, wholly or partly by one or more veterans as defined by
8 38 U.S.C. Section 101(2) who have a service-connected disability as
9 defined by 38 U.S.C. Section 101(16). The goals established under
10 this subsection are in addition to the goals established under
11 Subsection (c) and the goals established under Subsection (c) may
12 not be reduced as a result of the establishment of goals under this
13 subsection.

14 SECTION 3. Section 2161.125, Government Code, is amended to
15 read as follows:

16 Sec. 2161.125. CATEGORIZATION OF HISTORICALLY
17 UNDERUTILIZED BUSINESSES [~~BY SEX, RACE, AND ETHNICITY~~]. The
18 comptroller, in cooperation with each state agency reporting under
19 this subchapter, shall categorize each historically underutilized
20 business included in a report under this subchapter by sex, race,
21 and ethnicity and by whether the business qualifies as a
22 historically underutilized business because it is owned or owned,
23 operated, and controlled, as applicable, wholly or partly by one or
24 more veterans as defined by 38 U.S.C. Section 101(2) who have
25 suffered at least a 20 percent service-connected disability as
26 defined by 38 U.S.C. Section 101(16).

27 SECTION 4. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 194 was passed by the House on May 9, 2013, by the following vote: Yeas 109, Nays 22, 3 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 194 on May 24, 2013, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 194 on May 26, 2013, by the following vote: Yeas 137, Nays 8, 2 present, not voting.

Chief Clerk of the House

H.B. No. 194

I certify that H.B. No. 194 was passed by the Senate, with amendments, on May 22, 2013, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 194 on May 26, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor