

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1041 Session of 2018

INTRODUCED BY BARTOLOTTA, SCARNATI, GORDNER, COSTA, HUGHES, BREWSTER, SCHWANK, WARD, AUMENT, RAFFERTY, TARTAGLIONE, REGAN AND VULAKOVICH, FEBRUARY 9, 2018

AS AMENDED ON THIRD CONSIDERATION, APRIL 23, 2018

AN ACT

1 Amending Title 51 (Military Affairs) of the Pennsylvania
2 Consolidated Statutes, in veteran-owned small businesses,
3 providing for veteran owned small business logotypes. FURTHER <--
4 PROVIDING FOR DEFINITIONS, REPEALING PROVISIONS RELATING TO
5 DEFINITIONS, FURTHER PROVIDING FOR EXEMPTION AND PROVIDING
6 FOR VETERAN-OWNED BUSINESS LOGOTYPE.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Chapter 96 of Title 51 of the Pennsylvania <--
10 Consolidated Statutes is amended by adding a subchapter to read:

SUBCHAPTER D

MISCELLANEOUS PROVISIONS

13 Sec.

14 9621. Veteran owned small business logotypes.

15 § 9621. Veteran owned small business logotypes.

16 (a) Logotype for veteran owned small businesses. The
17 department, in consultation with the Office of Administration,
18 shall design an official logotype for use by veteran owned small
19 businesses in this Commonwealth. The logotype design shall use

1 ~~the words: "Pennsylvania Veteran owned Small Business."~~  
2 ~~(b) Logotype for service disabled veteran owned small~~  
3 ~~businesses. The department, in consultation with the Office of~~  
4 ~~Administration, shall design an official logotype for use by~~  
5 ~~service disabled veteran owned small businesses in this~~  
6 ~~Commonwealth. The logotype design shall use the words:~~  
7 ~~"Pennsylvania Service disabled Veteran owned Small Business."~~

8 SECTION 1. THE DEFINITION OF "VETERAN" IN SECTION 9601 OF <--  
9 TITLE 51 OF THE PENNSYLVANIA CONSOLIDATED STATUTES IS AMENDED  
10 AND THE SECTION IS AMENDED BY ADDING DEFINITIONS TO READ:

11 § 9601. DEFINITIONS.

12 SUBJECT TO SECTION 9602 (RELATING TO REGULATIONS), THE  
13 FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER SHALL HAVE  
14 THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE CONTEXT  
15 CLEARLY INDICATES OTHERWISE:

16 "BUSINESS FEE." A FEE REQUIRED TO BE PAID TO THE  
17 COMMONWEALTH OR A POLITICAL SUBDIVISION FOR STARTING OR OPENING  
18 A BUSINESS WITHIN THIS COMMONWEALTH. THE TERM DOES NOT INCLUDE A  
19 FEE FOR MAINTAINING LICENSURE OR OTHER REQUIREMENT FOR  
20 CONTINUING TO OPERATE A BUSINESS.

21 \* \* \*

22 "VETERAN." AN INDIVIDUAL WHO:

23 (1) HAS SERVED IN THE UNITED STATES ARMED FORCES,  
24 INCLUDING A RESERVE COMPONENT OR THE NATIONAL GUARD, AND WHO  
25 WAS DISCHARGED OR RELEASED FROM SERVICE UNDER CONDITIONS  
26 OTHER THAN DISHONORABLE[.]; OR

27 (2) IS ACTIVELY SERVING IN THE UNITED STATES ARMED  
28 FORCES, INCLUDING A RESERVE COMPONENT OR THE NATIONAL GUARD.

29 "VETERAN-OWNED BUSINESS." AS DEFINED IN 62 PA.C.S. § 2201  
30 (RELATING TO DEFINITIONS).

1 \* \* \*

2 SECTION 2. SECTIONS 9610 AND 9611(A), (B) AND (C) OF TITLE  
3 51 ARE AMENDED TO READ:

4 [§ 9610. DEFINITIONS.

5 AS USED IN THIS SUBCHAPTER, THE FOLLOWING WORDS AND PHRASES  
6 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
7 CONTEXT CLEARLY INDICATES OTHERWISE:

8 "BUSINESS FEE." A FEE REQUIRED TO BE PAID TO THE  
9 COMMONWEALTH OR A POLITICAL SUBDIVISION FOR STARTING OR OPENING  
10 A BUSINESS WITHIN THIS COMMONWEALTH. THE TERM DOES NOT INCLUDE A  
11 FEE FOR MAINTAINING LICENSURE OR OTHER REQUIREMENT FOR  
12 CONTINUING TO OPERATE A BUSINESS.

13 "RESERVIST." A MEMBER OF A UNITED STATES ARMED FORCES  
14 RESERVE COMPONENT OR NATIONAL GUARD.

15 "RESERVIST-OWNED SMALL BUSINESS." A BUSINESS OWNED AND  
16 CONTROLLED BY A MEMBER OF A UNITED STATES ARMED FORCES RESERVE  
17 COMPONENT OR NATIONAL GUARD.]

18 § 9611. EXEMPTION.

19 (A) PAYMENT.--A VETERAN-OWNED [OR RESERVIST-OWNED] SMALL  
20 BUSINESS SHALL BE EXEMPT FROM THE PAYMENT OF A BUSINESS FEE.

21 (B) PROOF.--A VETERAN [OR RESERVIST] MUST PROVIDE THE  
22 DEPARTMENT OR LICENSING AUTHORITY OF A POLITICAL SUBDIVISION  
23 WITH PROOF OF THE VETERAN'S [OR RESERVIST'S] STATUS USING ANY OF  
24 THE FOLLOWING WITH ANY BUSINESS APPLICATION:

25 (1) A COPY OF A FEDERAL DD-214 FORM.

26 (2) A COPY OF A FEDERAL NGB-22 FORM.

27 (3) A VALID FEDERAL VETERANS' ADMINISTRATION CARD.

28 (4) A VALID DEPARTMENT OF DEFENSE-ISSUED MILITARY  
29 IDENTIFICATION CARD.

30 (C) STATUS.--THE DEPARTMENT OF STATE OR LICENSING AUTHORITY

1 OF A POLITICAL SUBDIVISION, IN CONSULTATION WITH OTHER  
2 COMMONWEALTH AGENCIES, MAY DETERMINE AN APPLICANT'S STATUS AS A  
3 VETERAN [OR RESERVIST] IN ACCORDANCE WITH THIS SECTION.

4 \* \* \*

5 SECTION 3. CHAPTER 96 OF TITLE 51 IS AMENDED BY ADDING A  
6 SUBCHAPTER TO READ:

7 SUBCHAPTER D

8 VETERAN-OWNED BUSINESS LOGOTYPE

9 SEC.

10 9621. VETERAN-OWNED BUSINESS LOGOTYPE.

11 § 9621. VETERAN-OWNED BUSINESS LOGOTYPE.

12 (A) LOGOTYPE FOR VETERAN-OWNED BUSINESSES.--THE DEPARTMENT  
13 OR ITS DESIGNEE SHALL DESIGN AN OFFICIAL COMMONWEALTH LOGOTYPE  
14 TO BE USED BY VETERAN-OWNED BUSINESSES.

15 (B) LOGOTYPE.--THE LOGOTYPE TO BE DESIGNED AND ISSUED SHALL  
16 INCLUDE THE COMMONWEALTH COAT OF ARMS AND THE WORDS  
17 "PENNSYLVANIA VETERAN-OWNED BUSINESS."

18 (C) VERIFY.--THE DEPARTMENT, IN CONSULTATION WITH THE  
19 DEPARTMENT OF GENERAL SERVICES, SHALL USE THE VERIFICATION  
20 PROCESS UNDER 62 PA.C.S. § 2202(A) (RELATING TO WOMAN-OWNED  
21 BUSINESS, MINORITY-OWNED BUSINESS OR VETERAN-OWNED BUSINESS) TO  
22 VERIFY THE MILITARY SERVICE STATUS OF BUSINESS OWNERS SEEKING A  
23 VETERAN-OWNED BUSINESS LOGOTYPE.

24 (D) APPLICATION AND ISSUANCE.--THE DEPARTMENT SHALL ISSUE A  
25 LOGOTYPE WHEN THE VETERAN-OWNED BUSINESS IS INCLUDED ON THE LIST  
26 COMPILED AND MAINTAINED BY THE DEPARTMENT OF GENERAL SERVICES  
27 UNDER 62 PA.C.S. § 2202(C) FOR VETERAN-OWNED BUSINESSES.

28 (E) NOTICE.--THE DEPARTMENT SHALL POST ON THE DEPARTMENT'S  
29 PUBLICLY ACCESSIBLE INTERNET WEBSITE A NOTICE THAT THE  
30 COMMONWEALTH LOGOTYPE IS AVAILABLE TO BUSINESSES PROVIDED FOR

1 UNDER THIS CHAPTER AND SHALL INCLUDE THE CRITERIA NECESSARY TO  
2 RECEIVE THE LOGOTYPE AND ALLOW FOR ACCESS TO THE APPLICATION AND  
3 DIRECTIONS ON HOW TO SUBMIT THE APPLICATION.

4 (F) AUTHORITY.--UPON APPLICATION OF THE BUSINESS, THE  
5 DEPARTMENT SHALL HAVE THE AUTHORITY TO ISSUE, WITHOUT ADDITIONAL  
6 VERIFICATION, A LOGOTYPE UNDER THIS SECTION TO A BUSINESS THAT  
7 IS CURRENTLY APPROVED BY THE DEPARTMENT OF GENERAL SERVICES  
8 UNDER 62 PA.C.S. CH. 22 (RELATING TO DIVERSE AND DISADVANTAGED  
9 BUSINESSES).

10 (G) PENALTY.--A PERSON COMMITS A MISDEMEANOR OF THE THIRD  
11 DEGREE IF THE PERSON FRAUDULENTLY HOLDS HIMSELF OUT TO BE A  
12 VETERAN FOR THE PURPOSE OF OBTAINING A LOGOTYPE.

13 Section 2 4. This act shall take effect in 60 days.

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