
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1804 Session of
2019

INTRODUCED BY STRUZZI, GILLEN, SCHMITT AND ZIMMERMAN,
SEPTEMBER 12, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 12, 2019

AN ACT

1 Amending Titles 51 (Military Affairs) and 62 (Procurement) of
2 the Pennsylvania Consolidated Statutes, in veteran-owned
3 small businesses, further providing for definitions, for
4 regulations and for duties of Department of General Services;
5 and, in small and disadvantaged businesses, further providing
6 for definitions, for regulations and for duties of
7 department.

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

10 Section 1. Section 9601 introductory paragraph of Title 51
11 of the Pennsylvania Consolidated Statutes is amended to read:

12 § 9601. Definitions.

13 [Subject to section 9602 (relating to regulations), the] The
14 following words and phrases when used in this chapter shall have
15 the meanings given to them in this section unless the context
16 clearly indicates otherwise:

17 * * *

18 Section 2. Section 9602 heading, (a) and (b) of Title 51 are
19 amended to read:

20 § 9602. [Regulations] Statement of policy.

1 (a) [Promulgation] Policy.--The Department of General
2 Services, in consultation with the department, shall establish
3 policy in accordance with this subchapter for executive agencies
4 and independent agencies [and may, in consultation with the
5 department, promulgate regulations establishing detailed
6 definitions of the words and phrases defined in section 9601
7 (relating to definitions) using, in addition to the criteria set
8 forth in section 9601, other criteria as it deems appropriate,
9 including]. The statement of policy shall include criteria for
10 determining whether a business qualifies as a veteran-owned
11 small business or a service-disabled veteran-owned small
12 business under this chapter. The criteria shall include the
13 number of employees and the dollar volume of business.

14 (b) Implementation.--State-affiliated entities shall
15 implement the policy under subsection (a) for their procurement
16 programs.

17 * * *

18 Section 3. Section 9604 of Title 51 is amended by adding a
19 paragraph to read:

20 § 9604. Duties of Department of General Services.

21 The Department of General Services, with the assistance of
22 the department, shall have the following duties:

23 * * *

24 (9) Establish a process for businesses seeking
25 verification as a veteran-owned small business and service-
26 disabled veteran-owned small business.

27 Section 4. The definition of "small business" and
28 introductory paragraph in section 2102 of Title 62 are amended
29 to read:

30 § 2102. Definitions.

1 [Subject to section 2103 (relating to regulations), the] The
2 following words and phrases when used in this chapter shall have
3 the meanings given to them in this section unless the context
4 clearly indicates otherwise:

5 * * *

6 "Small business." A business in the United States which is
7 independently owned[,] and is not dominant in its field of
8 operation [and employs 100 or fewer employees].

9 Section 5. Section 2103 of Title 62 is amended to read:

10 § 2103. [Regulations] Statement of policy.

11 (a) Policy.--The department shall establish a statement of
12 policy for executive and those independent agencies for which
13 the department acts as purchasing agency [and may promulgate
14 regulations establishing detailed definitions of the words and
15 phrases defined in section 2102 (relating to definitions) using,
16 in addition to the criteria set forth in section 2102, other
17 criteria as it deems appropriate, including]. The statement of
18 policy shall include criteria for determining whether a business
19 qualifies as a small business or disadvantaged business under
20 this chapter. The criteria shall include the number of employees
21 and the dollar volume of business. [State-affiliated entities
22 shall implement the policy for their procurement programs.]

23 (b) Implementation.--State-affiliated entities shall
24 implement the policy under subsection (a) for their procurement
25 programs.

26 Section 6. Section 2104 of Title 62 is amended by adding a
27 paragraph to read:

28 § 2104. Duties of department.

29 The department shall have the following duties:

30 * * *

1 (7) Establish a process for businesses seeking
2 certification as a small business or verification as a
3 disadvantaged business.

4 Section 7. This act shall take effect in 180 days.