

TO: HONORABLE BOARD OF LEGISLATOR  
COUNTY OF WESTCHESTER

Your Committee recommends the adoption of "AN ACT to encourage participation of Certified Service-Disabled Veteran-Owned Businesses in County contracts."

Your Committee is aware that On May 12, 2014, the State of New York enacted Article 17-B of the Executive Law ("Article 17-B") in order to create the Division of Service-Disabled Veteran Business Development. Article 17-B provided for the certification of service-disabled veteran-owned businesses, and provided opportunities for those businesses with respect to State contracts. On April 23, 2018, your Honorable Board approved Act 48-2018, requiring all County departments and offices to encourage participation by Certified Service-Disabled Veteran-Owned Businesses in County contracts, subject to compliance with all applicable statutes including public bidding laws. The Act defined "Certified Service-Disabled Veteran-Owned Businesses" as businesses certified service-disabled veteran-owned business enterprises under the New York State Service-Disabled Veteran-Owned Business Act (Executive Law Article 17-B). The County Act was set to expire and be deemed repealed on the same date that Article 17-B of the New York State Executive Law expired.

Your Committee is informed that on April 1, 2023, Article 17-B of the Executive Law was repealed. Also effective April 1, 2023, a new volume was added to the New York State Consolidated Laws Volume 62-B entitled the Veterans' Service Law. Article 3 of the Veteran's Service Law includes a section entitled "Participation By Service-Disabled Veterans with Respect to State Contracts." It appears that Article 3 of the Veteran's Service Law replaces the repealed Article 17-B of the New York State Executive Law.

Your Committee is further informed that since Article 17-B of the Executive Law is repealed, County Act 48-2018 is also repealed. As the requirements of Article 17-B of the Executive Law have been incorporated into Article 3 of the Veteran's Service Law, in order for the County to continue the requirements of Act 48-2018 to aid service-disabled veterans, a new Act needs to be enacted. This proposed Act would contain all of the same requirements of Act 48-2018, however the definition of Certified Service-Disabled Veteran-Owned Businesses would be amended as follows:

"Certified Service-Disabled Veteran-Owned Businesses" shall mean businesses that are certified service-disabled veteran-owned business enterprises under the Veteran's Service Law Article 3- Participation by Service-Disabled Veterans with Respect to State Contracts."

Moreover, unlike Act No. 48-2018, there will be no expiration date for the proposed Act.

Your Committee agrees with the laudable goal of continuing to provide opportunities to our veterans who were disabled serving our country, and wants to encourage the participation of certified service- disabled veteran-owned businesses in county contracts as well. Thus, the attached ACT requires departments and offices of the County to encourage the participation of certified service-disabled veteran-owned businesses in the county contracting process, and to document efforts to do so.

Your Committee is informed that the proposed project does not meet the definition of an action under New York State Environmental Quality Review Act ("SEQRA") and its implementing regulations 6 NYCRR Part 617. Please refer to the memorandum from the Department of Planning, dated January 8, 2024, which is on file with the Clerk of the Board of Legislators. Your Committee concurs in this conclusion.

Based on the foregoing, your Committee recommends the passage of this Local Law.

Dated: \_\_\_\_\_, 2024  
White Plains, New York

COMMITTEE ON

ACT NO. -2024

AN ACT to encourage  
participation of Certified  
Service-Disabled Veteran-  
Owned Businesses in  
County contracts

BE IT ENACTED by the Board of Legislators of the County of Westchester as follows:

**Section 1.** Act No. 48 of 2018 is hereby repealed.

**Section 2.** Definitions. The following terms shall have the meanings indicated:

a. "Certified Service-Disabled Veteran-Owned Businesses" shall mean businesses that are certified service - disabled veteran-owned business enterprises under the New York State Service-Disabled Veteran-Owned Business Act (Veteran's Service Law Article 3-Participation by Service-Disabled Veterans with Respect to State Contracts).

b. "departments and offices" shall mean:

(i) any county department; or

(ii) any division, board, commission, or bureau

(iii) of any county department, or Westchester Community College.

**Section 3.** Subject to compliance with all applicable laws, including competitive bidding statutes, all departments and offices of Westchester County shall make good faith efforts to encourage participation by Certified Service-Disabled Veteran-Owned Businesses in County contracts.

**Section 4.** All departments and offices of Westchester County shall maintain records reflecting the good faith efforts made by such department or office. The Office of Veteran Affairs shall prepare an Annual Report of the County's efforts to encourage participation by Certified Service-Disabled Veteran-Owned Businesses in County contracts. Such Annual Report shall be submitted by June 1 of the next succeeding year to the County Executive and the Board of Legislators.

**Section 5.** This ACT shall take effect immediately.