

1 SB317
2 190199-1
3 By Senator Whatley
4 RFD: Veterans and Military Affairs
5 First Read: 13-FEB-18

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8 SYNOPSIS: This bill would provide a waiver for new
9 veteran-owned businesses from all registration fees
10 and fees for an occupational license required to
11 operate that business in the state for a maximum
12 period of two years from the initial formation or
13 start-up date of that business.

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15 A BILL
16 TO BE ENTITLED
17 AN ACT

18
19 Relating to veterans; to provide for a waiver from
20 fees associated with the formation or registration of a new
21 veteran-owned business or obtaining an occupational license
22 required to operate that business in the state for a period of
23 two years.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. This act shall be known and may be cited
26 as the Alabama Entrepreneurial Veteran Soldier Act.

1 Section 2. (a) For the purposes of this section, the
2 following terms shall have the following meanings:

3 (1) VETERAN. A person who has served in the active
4 military, naval, or air service, or who has served on
5 continuous federalized active duty for 180 days or for the
6 total period for which the person was ordered to active
7 military duty, other than for purposes of active duty for
8 training, and who was discharged or released therefrom under
9 conditions other than dishonorable.

10 (2) VETERAN-OWNED BUSINESS. Any business entity or
11 organization whether for profit or non-profit, that is no less
12 than 51 percent owned and controlled by a veteran who is a
13 resident of this state at the time of formation of the entity
14 or organization.

15 (b) The Secretary of State and Attorney General
16 shall waive all filing fees and other associated fees for the
17 formation and registration of any domestic business entity or
18 organization that is a veteran-owned business.

19 (c) Any fee for an occupational license collected by
20 any county or municipality shall be waived for the owner or
21 organizer of any veteran-owned business, for profit or
22 non-profit, if the occupational license is required to operate
23 the business. This subsection may not be construed as
24 providing a fee exemption for a professional license issued by
25 this state.

26 (d) The fee waivers provided under subsections (b)
27 and (c) shall apply to a veteran-owned business if the

1 business or organization was established or has an initial
2 start-up date on or after January 1, 2019. The waivers shall
3 only apply for a maximum period of two years after the initial
4 establishment, formation, or start-up date of the
5 veteran-owned business as determined by the date on which the
6 business is formed or registered in accordance with state law
7 in the Office of the Secretary of State or Office of the
8 Attorney General.

9 (e) Any veteran applying for a business formation or
10 registration fee waiver or a fee waiver for an occupational
11 license required to operate a veteran-owned business shall
12 provide the state agency, department, county, municipality, or
13 other licensing authority with any of the following as proof
14 of his or her veteran status prior to eligibility for any
15 exemptions under this section:

16 (1) A copy of a valid Federal DD-214 form.

17 (2) A valid Veterans Health Identification Card
18 issued by the Department of Veterans Affairs.

19 (3) A current state issued driver's identification
20 card with veteran's designation.

21 (f) The Secretary of State and the Attorney General
22 shall adopt rules establishing antifraud provisions to deter
23 and penalize any business or organization that is not majority
24 owned or controlled by a veteran or veterans but by a person
25 or persons who falsely claim to be a veteran in order to
26 receive the waiver of fees under subsections (b) and (c).

1 (g) The Offices of the Secretary of State and the
2 Attorney General shall provide notice of the establishment of
3 the Alabama Entrepreneurial Veteran Soldier Act and its
4 provisions by, at a minimum, providing information via the
5 agency's website describing the provisions of this section in
6 order to assist veterans with applying for waivers provided
7 under this section.

8 (h) No later than January 2, 2020, and every year
9 annually thereafter, the Offices of the Secretary of State and
10 Attorney General and any county or municipality providing a
11 fee waiver under subsections (b) and (c) shall submit an
12 annual year-end report to the Chair of the House Ways and
13 Means Committee and to the Chair of the Senate Fiscal
14 Responsibility and Economic Development Committee regarding
15 the utilization of the veteran-owned business waivers
16 established under this section. The report shall include at a
17 minimum, the total amount for all exemptions provided and the
18 total number of business and occupational license fee
19 exemptions applied for and issued to new veteran-owned
20 businesses and owners during the previous year.

21 Section 3. This act shall become effective January
22 1, 2019, following its passage and approval by the Governor,
23 or its otherwise becoming law.