

## **State Bidding Process; Revised Definitions; HB 2356**

**HB 2356** revises provisions of the State's bidding process as it relates to the definitions of "certified business" and "individual with a disability." Under prior law, most contracts were awarded to the lowest responsible bidder. However, a contract may be awarded to a certified business (or a disabled veteran business) whose bid is not more than 10 percent greater than the lowest competitive bid. A certified business must conduct most of its operations in Kansas, have at least 10 percent of its workforce be individuals who have disabilities, contribute at least 75 percent of their health insurance premium costs, and not pay a subminimum wage, which is allowable under federal law. The Department of Administration certifies businesses every three years instead of annually.

An individual is certified as having a disability by either the Kansas Department for Aging and Disability Services (KDADS) or the Kansas Department for Children and Families (DCF), using the disability standards established by the U.S. Social Security Administration as determined by the Kansas Disability Determination Services within DCF. Under previous law, KDADS certified disability using a clinical assessment.