

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**SENATE BILL 922  
Finance Committee Substitute Adopted 5/5/09**

Short Title:   Modify SBIR/STTR Grant Requirements.

(Public)

Sponsors:

Referred to:

March 26, 2009

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO EXCLUDE RESEARCH THAT CANNOT BE CONDUCTED WITHIN THE  
3 STATE FROM ELIGIBILITY CALCULATIONS FOR GRANTS FROM THE ONE  
4 NORTH CAROLINA SMALL BUSINESS PROGRAM.

5 The General Assembly of North Carolina enacts:

6           **SECTION 1.** G.S. 143B-437.80(b) reads as rewritten:

7       "(b) Eligibility. – In order to be eligible for a grant under this section, a business must  
8 satisfy all of the following conditions:

- 9           (1) The business must be a for-profit, North Carolina-based business. For the  
10 purposes of this section, a North Carolina-based business is one that has its  
11 principal place of business in this State.  
12           (2) The business must have submitted a qualified SBIR/STTR Phase I proposal  
13 to a participating federal agency in response to a specific federal solicitation.  
14           (3) The business must satisfy all federal SBIR/STTR requirements.  
15           (4) The business shall not receive concurrent funding support from other sources  
16 that duplicates the purpose of this section.  
17           (5) The business must certify that ~~at least fifty one percent (51%) of the research~~  
18 ~~described in the federal SBIR/STTR Phase I proposal will be conducted in~~  
19 ~~this State and that the business~~ it will remain a North Carolina-based business  
20 for the duration of the SBIR/STTR Phase I project.  
21           (6) The business must demonstrate its ability to conduct the research described  
22 in its SBIR/STTR Phase I proposal ~~proposal~~ and must certify that at least  
23 fifty-one percent (51%) of this research will be conducted in this State, other  
24 than research that requires special laboratory facilities that are not located in  
25 this State."

26           **SECTION 2.** G.S. 143B-437.81(b) reads as rewritten:

27       "(b) Eligibility. – In order to be eligible for a grant under this section, a business must  
28 satisfy all of the following conditions:

- 29           (1) The business must be a for-profit, North Carolina-based business. For the  
30 purposes of this section, a North Carolina-based business is one that has its  
31 principal place of business in this State.  
32           (2) The business must have received a SBIR/STTR Phase I award from a  
33 participating federal agency in response to a specific federal solicitation. To  
34 receive the full match, the business must also have submitted a final Phase I  
35 report, demonstrated that the sponsoring agency has interest in the Phase II  
36 proposal, and submitted a Phase II proposal to the agency.  
37           (3) The business must satisfy all federal SBIR/STTR requirements.



- 1           (4)    The business shall not receive concurrent funding support from other sources  
2           that duplicates the purpose of this section.
- 3           (5)    The business must certify that ~~at least fifty one percent (51%) of the research~~  
4           ~~described in the federal SBIR/STTR Phase II proposal will be conducted in~~  
5           ~~this State and that the business~~ it will remain a North Carolina-based business  
6           for the duration of the SBIR/STTR Phase II project.
- 7           (6)    The business must demonstrate its ability to conduct the research described  
8           in its SBIR/STTR Phase II ~~proposal~~ proposal and must certify that at least  
9           fifty-one percent (51%) of this research will be conducted in this State, other  
10          than research that requires special laboratory facilities that are not located in  
11          this State."

12        **SECTION 3.** This act is effective when it becomes law.