

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 922  
Finance Committee Substitute Adopted 5/5/09  
Third Edition Engrossed 5/6/09

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 to the extent practical and that the business will remain a North  
20 Carolina-based business for the duration of the SBIR/STTR Phase I project.  
21 (6) The business must demonstrate its ability to conduct research in its  
22 SBIR/STTR Phase I proposal."

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

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

- 26 (1) The business must be a for-profit, North Carolina-based business. For the  
27 purposes of this section, a North Carolina-based business is one that has its  
28 principal place of business in this State.  
29 (2) The business must have received a SBIR/STTR Phase I award from a  
30 participating federal agency in response to a specific federal solicitation. To  
31 receive the full match, the business must also have submitted a final Phase I  
32 report, demonstrated that the sponsoring agency has interest in the Phase II  
33 proposal, and submitted a Phase II proposal to the agency.  
34 (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 to the extent practical and that the business will remain a North  
6           Carolina-based business for the duration of the SBIR/STTR Phase II project.
- 7           (6)    The business must demonstrate its ability to conduct research in its  
8           SBIR/STTR Phase II proposal."

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