

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 193*

Short Title: Greensboro/Small Business Enterprise. (Local)

Sponsors: Representatives Clemmons, Faircloth, Hardister, and Quick (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government, if favorable, Commerce, if favorable, Rules,
Calendar, and Operations of the House

February 27, 2019

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE
THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO
PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO
ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN
CITY CONTRACTS.

The General Assembly of North Carolina enacts:

SECTION 1. Chapter VII of the Charter of the City of Greensboro, being Chapter
1137 of the Session Laws of 1959, as amended, is amended by adding a new Subchapter to read
as follows:

"SUBCHAPTER D. SMALL BUSINESS ENTERPRISE PROGRAM.

"Sec. 7.45. Small Business Enterprise Program. (a) The City may establish a race- and
gender-neutral small business enterprise program to promote the development of small
businesses in the Greensboro Metropolitan Statistical Area and to enhance opportunities for small
businesses to participate in City contracts. The City may define the term "small business
enterprise" as appropriate and consistent with the City's contracting practices. The City may
establish bid and proposal specifications that include subcontracting goals and good-faith effort
requirements to enhance participation by small business enterprises in City contracts.
Notwithstanding the provisions of G.S. 143-129 and G.S. 143-131(b), the City may consider a
bidder's efforts to comply with small business enterprise program requirements in its award of
City contracts and, if a bidder is determined to have failed to comply with the requirements, the
City may, within its discretion, refuse to award a contract to the bidder.

(b) The small business enterprise program authorized by this section is intended to
supplement and not replace the requirements of G.S. 143-128.2, 143-131(b), or 143-135.5. Any
goals or efforts established to achieve veteran, minority, and women's business participation
consistent with the requirements of G.S. 143-128.2, 143-131(b), or 143-135.5 shall take
precedence over goals for small business enterprise participation established under the program
authorized by this section. A small business enterprise program established pursuant to this
section shall be deemed consistent with the public policy of the State of North Carolina to
promote and utilize small and underutilized business enterprises as set forth in G.S. 143-128.2,
143-128.3, and 143-135.5."

SECTION 2. This act is effective when it becomes law.

