

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 31
State and Local Government Committee Substitute Adopted 2/17/21
Third Edition Engrossed 2/23/21

Short Title: Political Subdivisions/Local Bidders Notice.

(Public)

Sponsors:

Referred to:

February 2, 2021

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT POLITICAL SUBDIVISIONS OF THE STATE SHALL NOTIFY PERSONS OR BUSINESSES WITHIN THEIR JURISDICTIONAL LIMITS BY REGULAR OR ELECTRONIC MAIL OF WORK REQUIRING AN ESTIMATED EXPENDITURE OF \$50,000 OR MORE BEING LET FOR BID BY THE POLITICAL SUBDIVISION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-129 reads as rewritten:

"§ 143-129. Procedure for letting of public contracts.

...

(b1) Notification Requirements for Certain Contracts for Political Subdivisions. – In addition to any other notice or publication required by law, where a contract is to be let by a political subdivision of the State for construction or repair work requiring the estimated expenditures of public money in an amount equal to or more than fifty thousand dollars (\$50,000), or for purchase of apparatus, supplies, materials, or equipment, requiring the estimated expenditures of public money in an amount equal to or more than fifty thousand dollars (\$50,000), the political subdivision shall, by regular or electronic mail or by posting to a website or service that generates notice, notify persons or businesses with a physical address located within the jurisdictional boundaries of the political subdivision that have made a request in writing to the clerk of the board of the political subdivision, or the clerk's designee, for notice of construction or repair work, or the purchase of apparatus, supplies, materials, or equipment being bid subject to this notification requirement.

The notification required by this subsection shall be (i) sent to the mailing address or electronic address of the person or business provided to the political subdivision for this purpose, (ii) sent at a time where at least seven full days shall lapse between the date on which the notice is sent and the date of the contract award, and (iii) contain a description of the requested construction or repair work, or purchase of apparatus, supplies, materials, or equipment.

A political subdivision shall be considered to have met the notification obligation of this subsection if the political subdivision can provide documentation of good-faith efforts to meet such notification requirement.

...."

SECTION 2. This act becomes effective October 1, 2021.

