

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 922
PROPOSED COMMITTEE SUBSTITUTE S922-PCS85211-RB-10

Short Title: Modify SBIR/STTR Grant Requirements.

(Public)

Sponsors:

Referred to:

March 26, 2009

A BILL TO BE ENTITLED

AN ACT TO EXCLUDE RESEARCH THAT CANNOT BE CONDUCTED WITHIN THE
STATE FROM ELIGIBILITY CALCULATIONS FOR GRANTS FROM THE ONE
NORTH CAROLINA SMALL BUSINESS PROGRAM.

The General Assembly of North Carolina enacts:

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

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

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

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

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

- (1) The business must be a for-profit, North Carolina-based business. For the purposes of this section, a North Carolina-based business is one that has its principal place of business in this State.
- (2) The business must have received a SBIR/STTR Phase I award from a participating federal agency in response to a specific federal solicitation. To receive the full match, the business must also have submitted a final Phase I



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

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