

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

**H.B. 781**  
**Apr 11, 2017**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH10263-MC-163 (04/10)

Short Title: JMAC Modifications.

(Public)

Sponsors: Representatives S. Martin and Farmer-Butterfield (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE JOB MAINTENANCE AND  
3 CAPITAL DEVELOPMENT FUND.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 143B-437.012 reads as rewritten:

6 "§ 143B-437.012. Job Maintenance and Capital Development Fund.

7 ...

8 (d) Eligibility. – A business is eligible for consideration for a grant under this section if  
9 it satisfies the conditions of either subdivision ~~(1)~~(1), (1a), or (2) of this subsection and satisfies  
10 subdivision (4) of this subsection:

11 (1) The business is a major employer. A business is a major employer if the  
12 business meets the following requirements:

13 a. The Department certifies that the business has invested or intends to  
14 invest at least two hundred million dollars (\$200,000,000) of private  
15 funds in improvements to real property and additions to tangible  
16 personal property in the project within a six-year period beginning  
17 with the time the investment commences.

18 b. The business employs at least 2,000 full-time employees or  
19 equivalent full-time contract employees at the project that is the  
20 subject of the grant at the time the application is made, and the  
21 business agrees to maintain at least 2,000 full-time employees or  
22 equivalent full-time contract employees at the project for the full  
23 term of the grant agreement.

24 c. The project is located in a development tier one area at the time the  
25 business applies for a grant.

26 (1a) The business previously received a grant as a major employer under this  
27 section and meets the following requirements:

28 a. The Department certifies that the business has invested or intends to  
29 invest at least two hundred million dollars (\$200,000,000) of private  
30 funds in improvements to real property and additions to tangible  
31 personal property in the project within a six-year period beginning  
32 with the time the investment commences. Amounts certified as  
33 invested under sub-subdivision a. of subdivision (1) of this  
34 subsection shall not be included in the amount required by this  
35 sub-subdivision.



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- 1                    b.     The business employs at least 2,000 full-time employees or
- 2                    equivalent full-time contract employees at the project that is the
- 3                    subject of the grant at the time the application is made, and the
- 4                    business agrees to maintain at least 2,000 full-time employees or
- 5                    equivalent full-time contract employees at the project for the full
- 6                    term of the grant agreement.
- 7                    c.     The project is at the same location as that for which a grant was
- 8                    previously awarded under subdivision (1) of this subsection.
- 9                    (2)    The business is a large manufacturing employer. A business is a large
- 10                    manufacturing employer if the business meets the following requirements:
- 11                    a.     The business is in manufacturing, as defined in G.S. 105-129.81, and
- 12                    is converting its manufacturing process to change the product it
- 13                    manufactures or is investing in its manufacturing process by
- 14                    enhancing pollution controls or transitioning the manufacturing
- 15                    process from using coal to using natural gas for the purpose of
- 16                    becoming more energy efficient or reducing emissions.
- 17                    b.     The Department certifies that the business has invested or intends to
- 18                    invest at least fifty million dollars (\$50,000,000) of private funds in
- 19                    improvements to real property and additions to tangible personal
- 20                    property in the project within a five-year period beginning with the
- 21                    time the investment commences.
- 22                    c.     The business meets one of the following employment requirements:
- 23                    1.     If in a development tier one area, the business employs at
- 24                    least 320 full-time employees at the project that is the subject
- 25                    of the grant at the time the application is made, and the
- 26                    business agrees to maintain at least 320 full-time employees
- 27                    at the project for the full term of the grant.
- 28                    2.     If in a development tier two area with a population of less
- 29                    than 60,000 as of July 1, 2013, the business employs at least
- 30                    800 full-time employees or equivalent full-time contract
- 31                    employees at the project that is the subject of the grant at the
- 32                    time the application is made, and the business agrees to
- 33                    maintain at least 800 full-time employees or equivalent
- 34                    full-time contract employees at the project for the full term of
- 35                    the grant.
- 36                    (3)    Repealed by Session Laws 2014-118, s. 1, effective July 1, 2014.
- 37                    (4)    All newly hired employees of the business must be citizens of the United
- 38                    States or have proper identification and documentation of their authorization
- 39                    to reside and work in the United States.
- 40                    ...
- 41                    (n)    Limitations. – The Department may enter into no more than ~~five~~six agreements
- 42                    under this section. The total aggregate cost of all agreements entered into under this section
- 43                    may not exceed ~~seventy-nine million dollars (\$79,000,000)~~one hundred thirty-nine million
- 44                    dollars (\$139,000,000). The total annual cost of an agreement entered into under this section
- 45                    may not exceed six million dollars (\$6,000,000)."
- 46                    **SECTION 2.** This act is effective when it becomes law.