

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL DRS15488-LMa-127

Short Title: Veteran Business Participation/Tracking. (Public)

Sponsors: Senators deViere, Searcy, and Fitch (Primary Sponsors).

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENCOURAGE AND PROMOTE THE USE OF VETERAN CONTRACTORS IN STATE PURCHASING OF GOODS AND SERVICES, STATE CONSTRUCTION CONTRACTS, AND STATE INFORMATION TECHNOLOGY PROCUREMENT AND TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO COLLECT AND COMPILE THE DATA ON THE USE OF VETERAN BUSINESSES IN STATE CONTRACTS AND TO REPORT IT TO THE GENERAL ASSEMBLY.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-48 reads as rewritten:

"§ 143-48. **State policy; cooperation in promoting the use of small contractors, minority contractors, physically handicapped contractors, ~~and veteran contractors,~~ and women contractors; purpose; required annual reports.**

(a) Policy. – It is the policy of this State to encourage and promote the use of small contractors, minority contractors, physically handicapped contractors, ~~and veteran contractors,~~ and women contractors in State purchasing of goods and services. All State agencies, institutions and political subdivisions shall cooperate with the Department of Administration and all other State agencies, institutions and political subdivisions in efforts to encourage the use of small contractors, minority contractors, physically handicapped contractors, ~~and veteran contractors,~~ and women contractors in achieving the purpose of this Article, which is to provide for the effective and economical acquisition, management and disposition of goods and services by and through the Department of Administration.

(b) Reporting. – Every governmental entity required by statute to use the services of the Department of Administration in the purchase of goods and services, every local school administrative unit, and every private, nonprofit corporation other than an institution of higher education or a hospital that receives an appropriation of five hundred thousand dollars (\$500,000) or more during a fiscal year from the General Assembly shall report to the ~~department~~ Department of Administration annually on what percentage of its contract purchases of goods and services, through term contracts and open-market contracts, were from minority-owned businesses, what percentage from female-owned businesses, what percentage from disabled-owned businesses, what percentage from disabled business ~~enterprises and enterprises,~~ what percentage from nonprofit work centers for the blind and the severely ~~disabled.~~ disabled, and what percentage from veteran-owned businesses. The same governmental entities shall include in their reports what percentages of the contract bids for such purchases were from such businesses. The Department of Administration shall provide instructions to the reporting entities concerning the manner of reporting and the definitions of the businesses referred to in this act, provided that, for the purposes of this act:



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...
(4) A veteran is a person as defined in G.S. 128-15(b)(2).

...."

SECTION 2. Article 8 of Chapter 143 of the General Statutes is amended by adding a new section to read as follows:

"§ 143-128.3A. Veteran business participation.

(a) It is the policy of this State to encourage and promote the use of veteran businesses in State building projects. For purposes of this section, the term "veteran" has the same meaning as in G.S. 128-15(b)(2).

(b) All public entities subject to G.S. 143-128.2 shall report to the Department of Administration on the following:

(1) The number of veteran businesses awarded a contract or a portion of a contract for a State building project under this Article.

(2) A description of the work executed by each veteran business pursuant to a State building project contract.

(3) Details of any outreach efforts made by the Department to identify veteran businesses that can perform State building projects.

(c) The Department of Administration shall collect and compile the data described in this section and report it no later than February 1 of each year to the Joint Legislative Oversight Committee on General Government and the Fiscal Research Division."

SECTION 3. G.S. 143B-1361 reads as rewritten:

"§ 143B-1361. Information technology procurement policy; reporting requirements.

(a) Policy. – In order to further the policy of the State to encourage and promote the use of small, minority, physically handicapped, ~~and~~ veteran, and women contractors in State purchasing of goods and services, all State agencies shall cooperate with the Department in efforts to encourage the use of small, minority, physically handicapped, ~~and~~ veteran, and women contractors in achieving the purposes of this Article, which is to provide for the effective and economical acquisition, management, and disposition of information technology.

...."

SECTION 4. There is appropriated from the General Fund to the Department of Administration the sum of fifty thousand dollars (\$50,000) in nonrecurring funds for the 2020-2021 fiscal year to implement the provisions of this act.

SECTION 5. This act becomes effective July 1, 2020.