

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H

D

HOUSE BILL 303
PROPOSED COMMITTEE SUBSTITUTE H303-PCS10212-TG-10

Short Title: Greensboro SBE.

(Local)

Sponsors:

Referred to:

March 16, 2021

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE CHARTER OF THE CITY OF GREENSBORO TO AUTHORIZE
3 THE CITY TO ESTABLISH A SMALL BUSINESS ENTERPRISE PROGRAM TO
4 PROMOTE THE DEVELOPMENT OF SMALL BUSINESSES IN THE CITY AND TO
5 ENHANCE THE OPPORTUNITIES FOR SMALL BUSINESSES TO PARTICIPATE IN
6 CITY CONTRACTS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Chapter VII of the Charter of the City of Greensboro, being Chapter
9 1137 of the Session Laws of 1959, as amended, is amended by adding a new Subchapter to read
10 as follows:

11 "SUBCHAPTER D. SMALL BUSINESS ENTERPRISE PROGRAM.

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

23 (b) The small business enterprise program authorized by this section is intended to
24 supplement and not replace the requirements of G.S. 143-128.2, 143-131(b), or 143-135.5. Any
25 goals or efforts established to achieve veteran, minority, and women's business participation
26 consistent with the requirements of G.S. 143-128.2, 143-131(b), or 143-135.5 shall take
27 precedence over goals for small business enterprise participation established under the program
28 authorized by this section. A small business enterprise program established pursuant to this
29 section shall be deemed consistent with the public policy of the State of North Carolina to
30 promote and utilize small and underutilized business enterprises as set forth in G.S. 143-128.2,
31 143-128.3, and 143-135.5."

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

