

TABLED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 259

AMENDMENT NO. A20
(to be filled in by
Principal Clerk)

H259-AMC-28 [v.1]

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Amends Title [NO]
Fourth Edition

Date _____, 2023

Senator Mayfield

1 moves to amend the bill on page 248, lines 5-6, by inserting between the lines the following
2 language to read:

3 **"SELECTSITE READINESS PROGRAM**

4 **SECTION 11.12.(a)** Funding. – There is appropriated from the General Fund to the
5 Department of Commerce (Department) the nonrecurring sum of fifty million dollars
6 (\$50,000,000) for each year of the 2023-2025 fiscal biennium to the North Carolina Selectsite
7 Fund established in subsection (c) of this section for purposes consistent with that subsection.

8 **SECTION 11.12.(b)** Purpose. – It is in the best economic and developmental
9 interests of the State to support the development of sites to ensure the State's ongoing
10 competitiveness for major manufacturing opportunities, including, but not limited to, the
11 aerospace, automotive, clean energy, food processing, semiconductor, and life science industries.
12 The purpose of this section is to establish a competitive grant program serving to do the
13 following:

- 14 (1) Identify and evaluate up to 10 sites of less than 1,000 acres for preferred
15 development and marketing.
- 16 (2) Assist local governments or a partnership of local governments in the
17 acquisition of a newly identified or existing site.
- 18 (3) Support local governments or a partnership of local governments to analyze,
19 plan, install, or upgrade public infrastructure, including publicly owned water,
20 gas, and sewer systems, transportation infrastructure, and the electrical utility
21 lines necessary to meet the needs of prospective employers for sites.
- 22 (4) Support local governments or a partnership of local governments to fund
23 on-site preparation, including clearing, grading, or other related expenses for
24 sites.
- 25 (5) Support local governments or a partnership of local governments in
26 conducting due diligence, including, but not limited to: site characteristics,
27 preliminary engineering reports for water and wastewater provision to the site,
28 assessments related to road and highway infrastructure to serve the site, and
29 other assessments as needed.
- 30 (6) Facilitate coordination between the economic development entities and the
31 North Carolina Department of Environmental Quality and the North Carolina



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1 Department of Transportation to expedite needs related to timely site
2 development.

3 **SECTION 11.12.(c)** Fund Established. – There is created in the Department a special
4 fund to be known as the North Carolina Selectsite Fund for grants awarded by the Economic
5 Development Partnership of North Carolina (EDPNC) for purposes consistent with this section.
6 EDPNC shall be responsible for administering the program. The provisions prohibiting EDPNC
7 from awarding of grants contained in G.S. 143B-431.01 do not apply to the Fund.

8 **SECTION 11.12.(d)** Definitions. – The definitions in Section 11.11(c) of S.L.
9 2022-74 apply in this section. For purposes of this section, a "selectsite" is a parcel of contiguous
10 property consisting of less than 1,000 acres that is viable for industrial development and listed in
11 the report pursuant to subsection (h) of this section. For purposes of this section, a "Fund" is the
12 North Carolina Selectsite Fund.

13 **SECTION 11.12.(e)** Allocation. – EDPNC shall allocate monies in the Fund on the
14 following basis:

15 (1) Funds transferred from the North Carolina Megasite Fund shall be allocated
16 for an analysis of sites that are less than 1,000 acres that are of sufficient size
17 to successfully attract advanced manufacturing projects of more than 1,000
18 employees.

19 (2) Funds appropriated to the Fund for local government grants shall be allocated
20 for the purposes outlined in subdivisions (b)(2), (b)(3), (b)(4), and (b)(5) of
21 this section for selectsites determined pursuant to subdivision (1) of this
22 subsection. EDPNC shall prioritize local government grants that have the
23 greatest potential to reduce the time for site readiness and reduce the risk of
24 unforeseen conditions that could affect the site viability for advanced
25 manufacturing projects. EDPNC shall base the grant amount on total
26 development needs for the selectsite, prior investment in the selectsite by one
27 or more local governments, the ability of one or more local governments to
28 invest in the selectsite, and the ability and level of participation promised by
29 the local government in exchange for a grant from the Fund. Monies may only
30 be granted for, and used to acquire, a selectsite for which (i) one or more local
31 governments have a binding option or offer to purchase and (ii) all basic due
32 diligence has been completed, including, but not limited to, boundary surveys,
33 title searches, State Historic Preservation Office reviews, and wetlands
34 delineation.

35 **SECTION 11.12.(f)** Matching Funds. – If a grant is awarded that includes site
36 acquisition assistance, the local governments to which a grant is awarded shall provide the
37 remainder of the cost of purchasing the selectsite not provided by the grant.

38 **SECTION 11.12.(g)** Agreements Required. – Monies may be disbursed from the
39 Fund only in accordance with agreements entered into between EDPNC and a local government
40 or a government partnership. The agreement must include all of the performance criteria,
41 remedies, and other safeguards required to secure the assistance provided to ready the selectsite
42 for a major employer and must require EDPNC to recapture a proportionate amount of assistance

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1 provided under this section for failure by a local government or government partnership to meet
2 and maintain the selectsite for availability for the purposes for which the assistance was provided.

3 **SECTION 11.12.(h)** Reporting. – EDPNC shall file an annual report to the
4 Department on or before April 1 of each year. The annual report prepared will document total
5 amount of grants awarded, matching funds required, activities to ready selectsites and associated
6 costs, any major employers locating at an improved or acquired selectsite, and the unallocated
7 amount for grants remaining in the Fund. The Department shall prepare and file on or before
8 May 1 of each year with the Senate Appropriations Committee on Agriculture, Natural, and
9 Economic Resources; the House of Representatives Appropriations Committee on Agriculture
10 and Natural and Economic Resources; the Joint Legislative Economic Development and Global
11 Engagement Oversight Committee; the Office of State Budget and Management; and the Fiscal
12 Research Division a consolidated report for the preceding fiscal year concerning the information
13 required by this section.

14 **SECTION 11.12.(i)** Program Guidelines. – EDPNC shall develop guidelines related
15 to the administration of this program. At least 20 days before the effective date of any guidelines
16 or nontechnical amendments to the guidelines, EDPNC shall publish the proposed guidelines on
17 its website and provide notice to persons who have requested notice of proposed guidelines. In
18 addition, EDPNC must accept oral and written comments on the proposed guidelines and shall
19 in its discretion consider such comments before finalizing the guidelines, during the 15 business
20 days beginning on the first day that EDPNC has completed these notifications. Guidelines
21 adopted under this section shall not be subject to the requirements of Article 2A of Chapter 150B
22 of the General Statutes.";

23
24 And by adjusting the appropriate totals accordingly.

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____