

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2025

H.B. 740  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30324-MQfa-24A

Short Title: Constituent Portal/Contractor Liability Limit. (Public)

Sponsors: Representative Johnson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT AND FUND THE ISSUANCE OF A REQUEST FOR PROPOSALS  
3 FOR THE DEVELOPMENT AND CREATION OF A DISASTER FOCUSED  
4 CONSTITUENT ENGAGEMENT PORTAL AND TO ESTABLISH LIMITS OF  
5 CONTRACTOR LIABILITY UNDER CERTAIN STATE PROCUREMENT  
6 CONTRACTS.

7 The General Assembly of North Carolina enacts:

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9 **PART I. DISASTER FOCUSED CONSTITUENT PORTAL**

10 **SECTION 1.1.** The Department of Information Technology shall issue a request for  
11 proposals for the development and creation of a disaster relief portal, focused on constituent  
12 engagement, that will operate as a central platform for relevant updates and constituent services  
13 in response to natural disasters occurring in the State. The disaster focused constituent  
14 engagement portal shall be designed to consolidate critical information and programs from all  
15 relevant State agency websites into a single, centralized portal where affected citizens can engage  
16 with State agencies, find resources, and receive real-time information.

17 **SECTION 1.2.** There is appropriated from the General Fund to the Department of  
18 Information Technology the sum of five hundred thousand dollars (\$500,000) in nonrecurring  
19 funds for the 2025-2026 fiscal year to be used for the purposes described in this Part.

20 **SECTION 1.3.** This Part becomes effective July 1, 2025.

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22 **PART II. CONTRACTOR LIABILITY LIMITS/STATE CONTRACTS**

23 **SECTION 2.1.** Article 3 of Chapter 143 of the General Statutes is amended by  
24 adding a new section to read:

25 **"§ 143-49.2. Contractor liability in State contracts.**

26 (a) All contracts subject to the provisions of this Article and Article 8 of this Chapter  
27 shall include a limitation on the contractor's liability to the State for damages. Except as otherwise  
28 provided in this section, the limitation of liability shall be for damages arising from any cause  
29 whatsoever, regardless of the form of action. The amount of liability shall be determined based  
30 on the nature of the goods, services, or construction work covered by the contract; however, there  
31 shall be a presumptive limitation of no more than two times the value of the contract. Limitation  
32 of liability pursuant to this section shall specifically include, but not be limited to, the contractor's  
33 liability for damages. The amount of liability for damages may be raised to no more than three  
34 times the value of the contract if all of the following apply:



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- 1           (1)   The Secretary or the Secretary's designee completes a risk assessment prior to  
2           the bid solicitation or request for proposals that determines an increase in the  
3           liability amount is necessary to protect the State's best interests.
- 4           (2)   The bid solicitation or request for proposals indicates that increased liability  
5           will be required for the resulting contract.

6           (b)   Prior to entering into any contract subject to the provisions of this Article or Article  
7           8 of this Chapter, the Secretary or the Secretary's designee shall reasonably determine that the  
8           contractor possesses sufficient financial resources, either independently or through third-party  
9           sources, such as insurance, to satisfy the agreed upon limitation of liability. The limitation of  
10           liability required by this section shall not apply to liability of the contractor for intentional or  
11           willful misconduct, damage to tangible personal property, or physical injuries to persons.  
12           Nothing in this subsection limits the contractor's liability directly to third parties or affects the  
13           rights and obligations related to contribution among joint tortfeasors established by Chapter 1B  
14           of the General Statutes and other applicable law.

15           (c)   Not later than March 1 of each year, the Secretary shall report annually to the Joint  
16           Legislative Commission on Governmental Operations and the Joint Legislative Oversight  
17           Committee on General Government regarding the contracts containing liability amounts of more  
18           than two times the value of the contract."

19           **SECTION 2.2.** This Part is effective when it becomes law and applies to contracts  
20           awarded, renewed, or amended on or after that date.

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22           **PART III. EFFECTIVE DATE**

23           **SECTION 3.1.** Except as otherwise provided, this act is effective when it becomes  
24           law.