

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

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SENATE BILL 342

Short Title: Econ. Dev./JDIG Extension. (Public)

Sponsors: Senators Lowe (Primary Sponsor); Bryant, Smith, Smith-Ingram, and Waddell.

Referred to: Rules and Operations of the Senate.

March 23, 2015

A BILL TO BE ENTITLED

AN ACT TO EXTEND THE AUTHORITY OF THE DEPARTMENT OF COMMERCE TO
AWARD NEW GRANTS UNDER THE JOB DEVELOPMENT INVESTMENT GRANT
PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. Part 2G of Article 10 of Chapter 143B of the General Statutes reads
as rewritten:

"Part 2G. Job Development Investment Grant Program.

"§ 143B-437.52. Job Development Investment Grant Program.

(a) Program. – There is established the Job Development Investment Grant Program to be administered by the Economic Investment Committee. In order to foster job creation and investment in the economy of this State, the Committee may enter into agreements with businesses to provide grants in accordance with the provisions of this Part. The Committee, in consultation with the Attorney General, shall develop criteria to be used in determining whether the conditions of this section are satisfied and whether the project described in the application is otherwise consistent with the purposes of this Part. Before entering into an agreement, the Committee must find that all the following conditions are met:

- (1) The project proposed by the business will create, during the term of the agreement, a net increase in employment in this State by the business.
- (2) The project will benefit the people of this State by increasing opportunities for employment and by strengthening this State's economy by, for example, providing worker training opportunities, constructing and enhancing critical infrastructure, increasing development in strategically important industries, or increasing the State and local tax base.
- (3) The project is consistent with economic development goals for the State and for the area where it will be located.
- (4) A grant under this Part is necessary for the completion of the project in this State.
- (5) The total benefits of the project to the State outweigh its costs and render the grant appropriate for the project.

(c) Awards. – The maximum amount of total annual liability for grants awarded in any single calendar year under this Part, including amounts transferred to the Utility Account pursuant to G.S. 143B-437.61, is fifteen million dollars (\$15,000,000). No agreement may be entered into that, when considered together with other existing agreements governing grants



1 awarded during a single calendar year, could cause the State's potential total annual liability for
2 grants awarded in a single calendar year to exceed this amount. The Department shall make
3 every effort to ensure that the average percentage of withholdings of eligible positions for
4 grants awarded under this Part does not exceed the average of the range provided in
5 G.S. 143B-437.56(a).

6 (d) Measuring Employment. – For the purposes of subdivision (a)(1) of this section and
7 G.S. 143B-437.51(5), 143B-437.51(7), and 143B-437.57(a)(11), the Committee may designate
8 that the increase or maintenance of employment is measured at the level of a division or
9 another operating unit of a business, rather than at the business level, if both of the following
10 conditions are met:

11 (1) The Committee makes an explicit finding that the designation is necessary to
12 secure the project in this State.

13 (2) The agreement contains terms to ensure that the business does not create
14 eligible positions by transferring or shifting to the project existing positions
15 from another project of the business or a related member of the business."
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16 ...

17 "**§ 143B-437.62. Expiration.**

18 The authority of the Committee to award new grants expires January 1, ~~2016~~2019."

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