

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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SENATE BILL 233

Short Title: Greensboro/Small Business Enterprise Program. (Local)

Sponsors: Senator Robinson (Primary Sponsor).

Referred to: Rules and Operations of the Senate.

March 11, 2013

A BILL TO BE ENTITLED

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

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Subchapter D of Chapter III of the Charter of the City of Greensboro,
9 being Chapter 1137 of the 1959 Session Laws, as amended by Chapter 132 of the 1981 Session
10 Laws, Chapter 51 of the 1987 Session Laws, and Chapter 67 of the 1991 Session Laws, is
11 amended by adding a new section to read as follows:

12 "Sec. 3.66. 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 market area and to enhance opportunities for small businesses to
15 participate in City contracts. The City may define the term "small business enterprise" as
16 appropriate and consistent with the City's contracting practices. The City may establish bid and
17 proposal specifications that include subcontracting goals and good faith efforts requirements to
18 enhance participation by small business enterprises in City contracts. Notwithstanding the
19 provisions of G.S. 143-129 and G.S. 143-131, the City may consider a bidder's efforts to
20 comply with small business enterprise program requirements in its award of City contracts and,
21 if a bidder is determined to have failed to comply with the requirements, the City may, within
22 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, or 143-135.5. Any
25 goals or efforts established to achieve minority and women business participation consistent
26 with the requirements of G.S. 143-128.2, 143-131, or 143-135.5 shall take precedence over
27 goals for small business enterprise participation established under the program authorized by
28 this section. A small business enterprise program established pursuant to this section shall be
29 deemed consistent with the public policy of the State of North Carolina to promote and utilize
30 small and underutilized business enterprises as set forth in G.S. 143-128.2, 143-128.3, and
31 143-135.5."

32 **SECTION 2.** If any provision of this act or its application is held invalid, the
33 invalidity does not affect other provisions or applications of this act that can be given effect
34 without the invalid provisions or applications, and to this end the provisions of this act are
35 severable.

36 **SECTION 3.** This act is effective when it becomes law.

