

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 946

Short Title: State Contracts/Handicapped.

(Public)

Sponsors: Representatives Nye; Bowman, Flaherty, and Gardner.

Referred to: State Government.

April 15, 1993

A BILL TO BE ENTITLED

AN ACT TO ALLOW CERTAIN NONPROFIT BUSINESSES THAT PROVIDE SUPPORTED EMPLOYMENT FOR THE DISABLED TO COME WITHIN THE PURVIEW OF THE STATE POLICY THAT PROMOTES THE USE OF MINORITY, PHYSICALLY HANDICAPPED, AND WOMEN CONTRACTORS FOR STATE CONTRACTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-48(b) reads as rewritten:

"(b) Every governmental entity required by statute to use the services of the Department of Administration in the purchase of goods and services and every private, nonprofit corporation other than an institution of higher education or a hospital that receives an appropriation of five hundred thousand dollars (\$500,000) or more during a fiscal year from the General Assembly shall report to the department of Administration annually on what percentage of its contract purchases of goods and services, through term contracts and open market contracts, were from minority-owned businesses, what percentage from female-owned businesses, and what percentage from disabled-owned businesses. disabled business enterprises. The same governmental entities shall include in their reports what percentages of the contract bids for such purchases were from such businesses. The Department of Administration shall provide instructions to the reporting entities concerning the manner of reporting and the definitions of the businesses referred to in this act, provided that, for the purposes of this act:

(1) A business in one of the categories above means one:

1 a. In which at least fifty-one percent (51%) of the business, or of
2 the stock in the case of a corporation, is owned by one or more
3 persons in the category; and

4 b. Of which the management and daily business operations are
5 controlled by one or more persons in the category who own it,
6 ~~and it.~~

7 A disabled business enterprise also means a nonprofit entity that
8 provides supported employment for the disabled and whose main
9 purpose is to provide ongoing habilitation, rehabilitation, and other
10 services for the disabled.

11 (2) A female or a disabled person is not a minority, unless the female or
12 disabled person is also a member of one of the minority groups
13 described in G.S. 143-128(2)a through ~~d~~, and d.

14 (3) A disabled person means a 'handicapped person' as defined in G.S.
15 ~~168A-3(4)~~. 168A-3.

16 The Department of Administration shall collect and compile the data described in
17 this section and report it annually to the General Assembly."

18 Sec. 2. This act is effective upon ratification.