

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 868  
Judiciary II Committee Substitute Adopted 4/24/03  
House Committee Substitute Favorable 7/8/04

Short Title: Consumer's Right to Know and Act/QBI Credit. (Public)

Sponsors:

Referred to:

April 3, 2003

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT STATE GOVERNMENT SHALL REQUIRE IN EVERY CONTRACT FOR THE PERFORMANCE OF TELEMARKETING SERVICES PROVISIONS THAT ONLY CITIZENS OF THE UNITED STATES AND PERSONS AUTHORIZED TO WORK IN THE UNITED STATES MAY BE EMPLOYED, TO PROVIDE FOR DISCLOSURE OF CERTAIN INFORMATION FROM CUSTOMER SALES AND SERVICE CENTERS, AND TO AMEND THE QUALIFIED BUSINESS INVESTMENT CREDIT.

The General Assembly of North Carolina enacts:

**SECTION 1.** The General Assembly finds that the State regularly awards contracts for services that are vital to North Carolinians, and that a national trend is developing in which contractors and subcontractors under service contracts awarded by state governments employ persons in foreign countries to perform these vital services. The General Assembly further finds that persons performing these service contracts in foreign countries are generally paid wages that are significantly below the minimum wage in this State, and that this trend of awarding service contracts to be performed outside the United States is threatening to the jobs and livelihood of North Carolinians and all Americans.

**SECTION 2.** Article 3 of Chapter 143 is amended by adding a new section to read:

**"§ 143-59.4. Certain vendors required to use only persons authorized to work in the United States.**

(a) Ineligible Vendors. – The Secretary of Administration and other entities to which this Article applies shall not contract for telemarketing services or telephone center services with any vendor that employs the services of any person not authorized to work in the United States pursuant to federal law in the performance of telemarketing or telephone center services on behalf of the State and such services shall be performed in the United States.



1       (b) No person who receives a telephone call from, or places a telephone call to, a  
2 customer sales call center or a customer service call center shall have the person's  
3 financial, credit, or identifying information sent to any foreign country without express  
4 written permission.

5 **"§ 66-342. Violation.**

6       A willful violation of this Article shall be an unfair or deceptive trade practice under  
7 G.S. 75-1.1."

8               **SECTION 4.** G.S. 105-163.012(b) reads as rewritten:

9       "(b) The total amount of all tax credits allowed to taxpayers under  
10 G.S. 105-163.011 for investments made in a calendar year may not exceed ~~six million~~  
11 ~~dollars (\$6,000,000).~~seven million dollars (\$7,000,000). The Secretary of Revenue shall  
12 calculate the total amount of tax credits claimed from the applications filed pursuant to  
13 G.S. 105-163.011(c). If the total amount of tax credits claimed for investments made in  
14 a calendar year exceeds ~~six million dollars (\$6,000,000),~~this maximum amount, the  
15 Secretary shall allow a portion of the credits claimed by allocating ~~a total of six million~~  
16 ~~dollars (\$6,000,000)~~the maximum amount in tax credits in proportion to the size of the  
17 credit claimed by each taxpayer."

18               **SECTION 5.** G.S. 105-163.015 reads as rewritten:

19 **"§ 105-163.015. Sunset.**

20       This Part is repealed effective for investments made on or after January 1,  
21 ~~2007.~~2008."

22               **SECTION 6.** Sections 2 and 3 of this act become effective October 1, 2004.  
23 Sections 4 and 5 become effective for investments made on or after January 1, 2004.  
24 Section 2 of this act applies to contracts entered into on or after that date. The  
25 remainder of the act is effective when it becomes law.