

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 232

Short Title: Public Contracts/Local Business Preference. (Public)

Sponsors: Senators Soucek (Primary Sponsor); Daniel and Hise.

Referred to: Rules and Operations of the Senate.

March 11, 2013

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT COUNTIES AND MUNICIPALITIES MAY, WHEN CONTRACTING FOR CONSTRUCTION OR REPAIR WORK OR FOR THE PURCHASE OF APPARATUS, SUPPLIES, MATERIALS, OR EQUIPMENT INVOLVING THE EXPENDITURE OF PUBLIC MONEY, GIVE PREFERENCE TO LOCAL BIDDERS WHEN CERTAIN REQUIREMENTS ARE MET.

The General Assembly of North Carolina enacts:

SECTION 1. Article 8 of Chapter 143 of the General Statutes is amended by adding a new section to read as follows:

"§ 143-131.1. Counties and municipalities; preference given to local bidders.

(a) Notwithstanding any other provision of this Article, when contracting for construction or repair work or for the purchase of apparatus, supplies, materials, or equipment involving the expenditure of public money, counties and municipalities may give preference to the lowest responsible, responsive local bidder if both of the following conditions are met: (i) the bid of the lowest responsible, responsive local bidder is no greater than five percent (5%) or ten thousand dollars (\$10,000), whichever is less, of the bid of the lowest responsible, responsive non-local bidder; and (ii) the lowest responsible, responsive local bidder matches the bid of the lowest responsible, responsive non-local bidder.

(b) For purposes of this subsection, the following definitions apply:

(1) Local bidder. – A bidder that has paid unemployment taxes or income taxes in this State and whose principal place of business is located within the boundaries of the county or municipality giving the preference.

(2) Non-local bidder. – A bidder that is not a local bidder as defined in subdivision (1) of this subsection.

(3) Principal place of business. – The principal place from which the trade or business of the bidder is directed or managed."

SECTION 2. This act becomes effective July 1, 2013, and applies to bids received on or after that date.

