

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE DRS35119-LM-97 (03/05)

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

Sponsors: Senator Robinson (Primary Sponsor).

Referred to:

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

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.



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