

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B 1091**  
**May 10, 2016**  
**HOUSE PRINCIPAL CLERK**

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HOUSE BILL DRH40585-MDa-135 (04/26)

Short Title: HUB Program Enhancements. (Public)

Sponsors: Representative L. Hall.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ENHANCE PUBLIC AWARENESS OF AND THE EFFICACY OF THE OFFICE OF HISTORICALLY UNDERUTILIZED BUSINESSES OF THE DEPARTMENT OF ADMINISTRATION.

The General Assembly of North Carolina enacts:

**SECTION 1.(a)** The Office of Historically Underutilized Businesses of the Department of Administration, in conjunction with the Department of Commerce, The University of North Carolina, and the State Board of Community Colleges, shall develop and implement an initiative to enhance public awareness of North Carolina's Historically Underutilized Business program.

**SECTION 1.(b)** There is appropriated from the General Fund to the Office of Historically Underutilized Businesses of the Department of Administration the sum of one million dollars (\$1,000,000) in nonrecurring funds for the 2016-2017 fiscal year to pay for advertising and the development and production of educational materials as part of the initiative developed pursuant to Section 1(a) of this act.

**SECTION 2.** G.S. 143-48.4 reads as rewritten:

**"§ 143-48.4. Statewide uniform certification of historically underutilized businesses.**

(a) In addition to the powers and duties provided in G.S. 143-49, the Secretary of Administration shall have the power, authority, and duty to:

- (1) Develop and administer a statewide uniform program for: (i) the certification of a historically underutilized business, as defined in G.S. 143-128.4, for use by State departments, agencies, and institutions, and political subdivisions of the State; ~~and (ii)~~ (ii) the identification and recruitment of potential historically underutilized businesses for certification; (iii) the provision of assistance to potential historically underutilized businesses in the certification process; (iv) the provision of assistance to historically underutilized businesses with bid preparation; and (v) the creation and maintenance of a database of the businesses certified as historically underutilized businesses.
- (2) Adopt rules and procedures for statewide uniform certification of historically underutilized businesses.
- (3) Provide for the certification of all businesses designated as historically underutilized businesses to be used by State departments, agencies, and institutions, and political subdivisions of the State.

(b) The Secretary of Administration shall seek input from State departments, agencies, and institutions, political subdivisions of the State, and any other entity deemed appropriate to determine the qualifications and criteria for statewide uniform certification of historically



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1 underutilized businesses. These entities shall also assist the Secretary in the Secretary's efforts to  
2 identify and recruit potential historically underutilized businesses for certification.

3 (c) Only businesses certified in accordance with this section shall be considered by State  
4 departments, agencies, and institutions, and political subdivisions of the State as historically  
5 underutilized businesses for minority business participation purposes under this Chapter."

6 **SECTION 3.** G.S. 143-128.4 reads as rewritten:

7 "**§ 143-128.4. Historically underutilized business defined; statewide uniform certification.**

8 ...

9 (c) In addition to the powers and duties provided in G.S. 143-49, the Secretary of  
10 Administration shall have the power, authority, and duty to:

11 (1) Develop and administer a statewide uniform program for: (i) the certification of  
12 a historically underutilized business, as defined in this section, for use by State  
13 departments, agencies, and institutions, and political subdivisions of the State;  
14 ~~and (ii)(ii) the identification and recruitment of potential historically~~  
15 underutilized businesses for certification; (iii) the provision of assistance to  
16 potential historically underutilized businesses in the certification process; (iv)  
17 the provision of assistance to historically underutilized businesses with bid  
18 preparation; and (v) the creation and maintenance of a database of the  
19 businesses certified as historically underutilized businesses.

20 (2) Adopt rules and procedures for the statewide uniform certification of  
21 historically underutilized businesses.

22 (3) Provide for the certification of all businesses designated as historically  
23 underutilized businesses to be used by State departments, agencies, and  
24 institutions, and political subdivisions of the State.

25 (d) The Secretary of Administration shall seek input from State departments, agencies, and  
26 institutions, political subdivisions of the State, and any other entity deemed appropriate to  
27 determine the qualifications and criteria for statewide uniform certification of historically  
28 underutilized businesses. These entities shall also assist the Secretary in the Secretary's efforts to  
29 identify and recruit potential historically underutilized businesses for certification.

30 (e) Only businesses certified in accordance with this section shall be considered by State  
31 departments, agencies, and institutions, and political subdivisions of the State as historically  
32 underutilized businesses for minority business participation purposes under this Chapter."

33 **SECTION 4.** The Office of Historically Underutilized Businesses of the Department  
34 of Administration shall create a mentoring program to assist historically underutilized businesses  
35 in navigating current economic challenges. The Office shall report the following information to  
36 the Joint Legislative Oversight Committee on General Government no later than November 1,  
37 2016:

38 (1) Which of the following method or methods the Office determined would be  
39 most effective at assisting historically underutilized businesses: internships,  
40 apprenticeships, networking programs, job training programs, and other  
41 programs.

42 (2) Potential costs and benefits of each type of mentoring.

43 **SECTION 5.** This act becomes effective July 1, 2016.