

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

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SENATE BILL 909

Short Title: Historically Underutilized Businesses. (Public)

Sponsors: Senators Dorsett; and Graham.

Referred to: Appropriations/Base Budget.

March 24, 2005

1 A BILL TO BE ENTITLED
2 AN ACT CREATING THE HISTORICALLY UNDERUTILIZED BUSINESS
3 CERTIFICATION TASK FORCE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Article 8 of Chapter 143 of the General Statutes is amended by
6 adding the following new section to read:

7 "**§ 143-128.4. Historically underutilized business certification task force.**

8 (a) There is created a Historically Underutilized Business Certification Task
9 Force within the Department of Administration. The Task Force shall consist of 15
10 members as follows:

11 (1) One member appointed by the North Carolina League of
12 Municipalities.

13 (2) One member appointed by the North Carolina Association of County
14 Commissioners.

15 (3) One member appointed by the North Carolina School Boards
16 Association.

17 (4) One member appointed by the North Carolina Institute for Minority
18 Economic Development.

19 (5) Three members appointed by the North Carolina Minority and
20 Women's Business Enterprise Coordinator's Network.

21 (6) Eight members appointed by the Office of Historically Underutilized
22 Business, two of whom shall be representatives of the Office, one of
23 whom shall be a minority business owner, one of whom shall be a
24 female business owner, one of whom shall be a disabled business
25 owner, and three of whom shall be public members.

26 (b) The Task Force shall propose uniform criteria and procedures for: (i) the
27 certification of businesses under G.S. 143-48 and G.S. 143-128.2 as Historically
28 Underutilized Businesses; (ii) the creation and maintenance of a database of the
29 businesses certified; and (iii) any other matters related to the certification of businesses

1 as authorized in this section. The Task Force may seek assistance, including technical,
2 business, or managerial, to ensure the reliability of the proposed certification criteria
3 and procedures. In determining ownership of a business for purposes of certification, the
4 Task Force shall use the definitions provided in G.S. 143-48 and G.S. 143-128.2.

5 (c) The Task Force shall meet as often as necessary for the conduct of business,
6 but shall meet no less than once every quarter. A quorum shall consist of one-third of
7 the total membership, and all action shall be taken by a majority vote. Vacancies on the
8 Task Force shall be filled by the agency that made the original appointment.

9 (d) The Secretary of Administration shall approve the criteria and procedures
10 proposed by the Task Force.

11 **SECTION 2.** This act is effective when it becomes law.