

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 1017\*

Short Title: Changes to Commerce Reporting Requirements. (Public)

Sponsors: Representatives Dockham and McGee (Primary Sponsors).  
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Commerce and Job Development.

May 22, 2012

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODERNIZE THE REQUIREMENTS OF THE COMPREHENSIVE  
3 STRATEGIC ECONOMIC DEVELOPMENT PLAN AND TO SIMPLIFY AND  
4 STREAMLINE OTHER REPORTING REQUIREMENTS FOR THE DEPARTMENT OF  
5 COMMERCE.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 143B-434.01 reads as rewritten:  
8 "§ 143B-434.01. Comprehensive Strategic Economic Development Plan.

9 ...  
10 (e) Environmental Scan. – The first step in developing the Plan shall be to develop an  
11 environmental scan based on the input from economic development parties and the public and  
12 on information about the economic environment in North Carolina. To prepare the scan, the  
13 Board shall gather the following information. Thereafter, the information shall be updated  
14 periodically. information and ensure that the information is updated periodically. The updated  
15 information may be provided in whatever format and through whatever means is most efficient.

16 ...  
17 (f) Needs Assessment. – The Board, using data from the public input sessions and the  
18 environmental scan, shall prepare an assessment of economic development strengths,  
19 weaknesses, threats, and opportunities within the State by Region and by county. An  
20 assessment shall also be conducted of each county to determine distressed areas existing within  
21 the county. The assessment will include the identification of key development issues within  
22 each geographic area and options available to address each issue.

23 ...  
24 (k) Annual Report. Evaluation. – The Plan shall contain a section devoted to measuring  
25 results, to be called "An Annual Report on Economic Development for the State of North  
26 Carolina". The Annual Report shall contain a comparison of actual results with The Board shall  
27 annually evaluate the State's economic performance based upon the statistics listed in this  
28 subsection and upon the Board's stated goals and objectives in its Plan. and significant and  
29 meaningful statistics to allow policymakers to adjust strategy and tactics as necessary to  
30 achieve the formulated goals. The statistics upon which the evaluation is made should be  
31 available to policymakers. The information may be provided in whatever format and through  
32 whatever means is most efficient.

33 The Annual Report shall break down data by Regions and counties including:

34 ...



1           (9) ~~An evaluation of the State's economic performance as indicated by the above~~  
2           ~~statistics with the goals and objectives outlined in the Plan.~~

3           (l) Accountability. – The Board shall make all data, plans, and reports available to the  
4 ~~General Assembly and Assembly,~~ the Joint Legislative Commission on Governmental  
5 ~~Operations—Operations,~~ and the Joint Legislative Economic Development and Global  
6 ~~Engagement Oversight Committee~~ at appropriate times and upon request. The Board shall  
7 prepare and make available on an annual basis public reports on each of the major sections of  
8 the Plan and the Annual Report indicating the degree of success in attaining each development  
9 objective."

10           **SECTION 2.** G.S. 143B-435.1 reads as rewritten:

11       "**§ 143B-435.1. Clawbacks.**

12       ...

13           (d) Report. – ~~The~~ By April 1 and October 1 of each year, the Department of Commerce  
14 shall report to the Revenue Laws Study ~~Committee by April 1 and October 1 of each year~~  
15 Committee, the Joint Legislative Commission on Governmental Operations, and the Fiscal  
16 Research Division on all clawbacks that have been triggered under programs it administers and  
17 its progress on obtaining repayments. The report must include the name of each business, the  
18 event that triggered the clawback, and the amount forfeited or to be repaid."

19           **SECTION 3.** G.S. 143B-437.01(c) is repealed.

20           **SECTION 4.** G.S. 143B-437.07 reads as rewritten:

21       "**§ 143B-437.07. Economic development grant reporting.**

22           (a) Report. – The Department of Commerce must publish on or before ~~March~~ October 1  
23 of each year the information required by this subsection, itemized by business entity, for each  
24 business or joint private venture to which the State has, in whole or in part, granted one or more  
25 economic development incentives during the previous ~~five calendar years.~~ The Department  
26 must provide the General Assembly with updated supplemental information consistent with this  
27 subsection on a quarterly basis in the form and manner requested by the General Assembly.  
28 fiscal year. The information in the report must include all of the following:

29       ...

30           (b) ~~Online Posting.~~ Posting/Written Submission. – The Department of Commerce must  
31 post on its Internet Web site a summary of the report compiled in subsection (a) of this section.  
32 The summary report must include the information required by subdivisions (2), (9), (11), and  
33 (12) of subsection (a) of this section. By October 1 of each year, the Department of Commerce  
34 must submit the written report required by subsection (a) of this section to the Joint Legislative  
35 Commission on Governmental Operations, the Joint Legislative Economic Development and  
36 Global Engagement Oversight Committee, the Revenue Laws Study Committee, and the Fiscal  
37 Research Division of the General Assembly.

38           (c) Economic Development Incentive. – An economic development incentive includes  
39 any grant ~~program administered by the Department of Commerce that disburses or awards~~  
40 ~~monies to businesses. Examples of these grant programs include the~~ from the following  
41 programs: Job Development Investment Grant Program, Programs; the Job Maintenance and  
42 Capital Development Fund, Fund; One North Carolina Fund, Fund; and the Industrial  
43 Development Fund, including the Utility Account. The State also incents economic  
44 development through the use of tax expenditures in the form of tax credits and refunds. The  
45 Department of Revenue must report annually on these statutory economic development  
46 incentives, as required under G.S. 105-256."

47           **SECTION 5.** G.S. 143B-437.08 reads as rewritten:

48       "**§ 143B-437.08. Development tier designation.**

49       ...

50           (k) Report. – By November 30 of each year, the Secretary of Commerce shall submit a  
51 written report to the Joint Legislative Commission on Governmental Operations and the Fiscal

1 Research Division on the tier rankings required by subsection (c) of this section, including a  
2 map of the State whereupon the tier ranking of each county is designated."

3           **SECTION 6.** G.S. 143B-437.55(d) is repealed.

4           **SECTION 7.** This act is effective when it becomes law.