

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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SENATE BILL 3  
Appropriations/Base Budget Committee Substitute Adopted 6/5/14

Short Title: JMAC Modifications.

(Public)

Sponsors:

Referred to:

January 31, 2013

1 A BILL TO BE ENTITLED  
2 AN ACT TO MODIFY THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT  
3 FUND PROVISIONS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 143B-437.012 reads as rewritten:

6 "§ 143B-437.012. Job Maintenance and Capital Development Fund.

7 ...  
8 (d) Eligibility. – A business is eligible for consideration for a grant under this section if  
9 it satisfies the conditions of either subdivision (1) or (2) of this subsection and satisfies ~~the~~  
10 ~~conditions of both subdivisions (3) and subdivision (4) of this subsection:~~

11 (1) The business is a major employer. A business is a major employer if the  
12 business meets the following requirements:

13 a. The Department certifies that the business has invested or intends to  
14 invest at least two hundred million dollars (\$200,000,000) of private  
15 funds in improvements to real property and additions to tangible  
16 personal property in the project within a six-year period beginning  
17 with the time the investment commences.

18 b. The business employs at least 2,000 full-time employees or  
19 equivalent full-time contract employees at the project that is the  
20 subject of the grant at the time the application is made, and the  
21 business agrees to maintain at least 2,000 full-time employees or  
22 equivalent full-time contract employees at the project for the full  
23 term of the grant agreement.

24 c. The project is located in a development tier one area at the time the  
25 business applies for a grant.

26 (2) The business is a large manufacturing employer. A business is a large  
27 manufacturing employer if the business meets the following requirements:

28 a. The business is in manufacturing, as defined in G.S. 105-129.81, and  
29 is converting its manufacturing process to change the product it  
30 ~~manufactures~~ manufactures or is investing in its manufacturing  
31 process by enhancing pollution controls or transitioning the  
32 manufacturing process from using coal to using natural gas for the  
33 purpose of becoming more energy efficient or reducing emissions.

34 b. The Department certifies that the business has invested or intends to  
35 invest at least ~~sixty five~~fifty million dollars  
36 ~~(\$65,000,000)~~(\$50,000,000) of private funds in improvements to real



1 property and additions to tangible personal property in the project  
2 within a ~~three-year~~five-year period beginning with the time the  
3 investment commences.

4 c. The business meets one of the following employment requirements:

5 1. If in a development tier one area, the business employs at  
6 least 320 full-time employees at the project that is the subject  
7 of the grant at the time the application is made, and the  
8 business agrees to maintain at least 320 full-time employees  
9 at the project for the full term of the grant.

10 2. If in a development tier two area with a population of less  
11 than 60,000 as of July 1, 2013, the business employs at least  
12 800 full-time employees or equivalent full-time contract  
13 employees at the project that is the subject of the grant at the  
14 time the application is made, and the business agrees to  
15 maintain at least 800 full-time employees or equivalent  
16 full-time contract employees at the project for the full term of  
17 the grant.

18 (3) ~~The project is located in a development tier one area at the time the business~~  
19 ~~applies for a grant.~~

20 (4) All newly hired employees of the business must be citizens of the United  
21 ~~States,~~States or have proper identification and documentation of their  
22 authorization to reside and work in the United States.

23 ...

24 (n) Limitations. – The Department may enter into no more than five agreements under  
25 this section. The total aggregate cost of all agreements entered into under this section may not  
26 exceed ~~sixty-nine million dollars (\$69,000,000).~~seventy-nine million dollars (\$79,000,000).  
27 The total annual cost of an agreement entered into under this section may not exceed six  
28 million dollars (\$6,000,000)."

29 **SECTION 2.** This act becomes effective July 1, 2014.