

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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HOUSE BILL 781

Short Title: JMAC Modifications. (Public)

Sponsors: Representatives S. Martin and Farmer-Butterfield (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Commerce and Job Development

April 13, 2017

A BILL TO BE ENTITLED
AN ACT TO MAKE CERTAIN MODIFICATIONS TO THE JOB MAINTENANCE AND CAPITAL DEVELOPMENT FUND.

The General Assembly of North Carolina enacts:

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

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

...

(d) Eligibility. - A business is eligible for consideration for a grant under this section if it satisfies the conditions of either subdivision (1), (1a), or (2) of this subsection and satisfies subdivision (4) of this subsection:

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

- a. The Department certifies that the business has invested or intends to invest at least two hundred million dollars (\$200,000,000) of private funds in improvements to real property and additions to tangible personal property in the project within a six-year period beginning with the time the investment commences.
b. The business employs at least 2,000 full-time employees or equivalent full-time contract employees at the project that is the subject of the grant at the time the application is made, and the business agrees to maintain at least 2,000 full-time employees or equivalent full-time contract employees at the project for the full term of the grant agreement.
c. The project is located in a development tier one area at the time the business applies for a grant.

(1a) The business previously received a grant as a major employer under this section and meets the following requirements:

- a. The Department certifies that the business has invested or intends to invest at least two hundred million dollars (\$200,000,000) of private funds in improvements to real property and additions to tangible personal property in the project within a six-year period beginning with the time the investment commences. Amounts certified as invested under sub-subdivision a. of subdivision (1) of this subsection shall not be included in the amount required by this sub-subdivision.



- 1 b. The business employs at least 2,000 full-time employees or
2 equivalent full-time contract employees at the project that is the
3 subject of the grant at the time the application is made, and the
4 business agrees to maintain at least 2,000 full-time employees or
5 equivalent full-time contract employees at the project for the full
6 term of the grant agreement.
- 7 c. The project is at the same location as that for which a grant was
8 previously awarded under subdivision (1) of this subsection.
- 9 (2) The business is a large manufacturing employer. A business is a large
10 manufacturing employer if the business meets the following requirements:
- 11 a. The business is in manufacturing, as defined in G.S. 105-129.81, and
12 is converting its manufacturing process to change the product it
13 manufactures or is investing in its manufacturing process by
14 enhancing pollution controls or transitioning the manufacturing
15 process from using coal to using natural gas for the purpose of
16 becoming more energy efficient or reducing emissions.
- 17 b. The Department certifies that the business has invested or intends to
18 invest at least fifty million dollars (\$50,000,000) of private funds in
19 improvements to real property and additions to tangible personal
20 property in the project within a five-year period beginning with the
21 time the investment commences.
- 22 c. The business meets one of the following employment requirements:
- 23 1. If in a development tier one area, the business employs at
24 least 320 full-time employees at the project that is the subject
25 of the grant at the time the application is made, and the
26 business agrees to maintain at least 320 full-time employees
27 at the project for the full term of the grant.
- 28 2. If in a development tier two area with a population of less
29 than 60,000 as of July 1, 2013, the business employs at least
30 800 full-time employees or equivalent full-time contract
31 employees at the project that is the subject of the grant at the
32 time the application is made, and the business agrees to
33 maintain at least 800 full-time employees or equivalent
34 full-time contract employees at the project for the full term of
35 the grant.
- 36 (3) Repealed by Session Laws 2014-118, s. 1, effective July 1, 2014.
- 37 (4) All newly hired employees of the business must be citizens of the United
38 States or have proper identification and documentation of their authorization
39 to reside and work in the United States.
- 40 ...
- 41 (n) Limitations. – The Department may enter into no more than ~~five~~six agreements
42 under this section. The total aggregate cost of all agreements entered into under this section
43 may not exceed ~~seventy-nine million dollars (\$79,000,000)~~one hundred thirty-nine million
44 dollars (\$139,000,000). The total annual cost of an agreement entered into under this section
45 may not exceed six million dollars (\$6,000,000)."
- 46 **SECTION 2.** This act is effective when it becomes law.