

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 975

Short Title: Exempt UNC/Term & Convenience Contract Reqs. (Public)

Sponsors: Representative Brubaker.

Referred to: Education Subcommittee on Universities.

April 9, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT THE UNIVERSITY OF NORTH CAROLINA FROM
3 CERTAIN REQUIREMENTS REGARDING TERM AND CONVENIENCE
4 CONTRACTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 116-13 reads as rewritten:

7 "**§ 116-13. Powers of Board regarding ~~property~~ property and services subject to**
8 **general law.**

9 (a) The power and authority granted to the Board of Governors with regard to the
10 acquisition, operation, maintenance and disposition of real and personal property and
11 services shall be subject to, and exercised in accordance with, the provisions of
12 Chapters 143 and 146 of the General ~~Statutes~~ Statutes and related sections of the North
13 Carolina Administrative Code, except when either:

- 14 (1) The funds used to procure personal property or services are not
15 moneys appropriated from the General Fund or received as tuition or,
16 in the case of multiple fund sources, moneys appropriated from the
17 General Fund or received as tuition do not exceed thirty percent (30%)
18 of the total funds; or
19 (2) The funds used to procure personal property or services are contract
20 and grant funds or, in the case of multiple fund sources, the contract
21 and grant funds exceed fifty percent (50%) of the total funds.

22 (b) When procurement of personal property or services would otherwise be
23 controlled by State term and convenience contracts, the Board of Governors may, but is
24 not required to, procure personal property or services according to the terms and
25 conditions of the State term and convenience contracts, and may negotiate its own term
26 and convenience contracts where the terms and conditions for the same property and
27 services are more favorable than the State term and convenience contracts."

28 **SECTION 2.** This act becomes effective July 1, 2003.