

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

H

2

HOUSE BILL 682
Committee Substitute Favorable 4/16/09

Short Title: Adjust Conflict Threshold.

(Public)

Sponsors:

Referred to:

March 19, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ADJUST THE EXEMPTION LIMITS FOR SMALL LOCAL GOVERNMENTS
3 IN THE PUBLIC CONTRACTING STATUTES TO ACCOUNT FOR INFLATION
4 SINCE LAST ADJUSTED SEVEN YEARS AGO, TO ALLOW AUTOMATIC
5 ADJUSTMENTS TO ACCOUNT FOR FUTURE CHANGES IN THE CONSUMER
6 PRICE INDEX, AND TO PROVIDE A UNIFORM PROCEDURE FOR INFLATION
7 INDEXING THAT OTHER PROVISIONS MAY INCORPORATE BY REFERENCE.

8 The General Assembly of North Carolina enacts:

9 SECTION 1. G.S. 14-234(d1) reads as rewritten:

10 "(d1) Subdivision (a)(1) of this section does not apply to (i) any elected official or person
11 appointed to fill an elective office of a village, town, or city having a population of no more
12 than 15,000 according to the most recent official federal census, (ii) any elected official or
13 person appointed to fill an elective office of a county within which there is located no village,
14 town, or city with a population of more than 15,000 according to the most recent official
15 federal census, (iii) any elected official or person appointed to fill an elective office on a city
16 board of education in a city having a population of no more than 15,000 according to the most
17 recent official federal census, (iv) any elected official or person appointed to fill an elective
18 office as a member of a county board of education in a county within which there is located no
19 village, town or city with a population of more than 15,000 according to the most recent official
20 federal census, (v) any physician, pharmacist, dentist, optometrist, veterinarian, or nurse
21 appointed to a county social services board, local health board, or area mental health,
22 developmental disabilities, and substance abuse board serving one or more counties within
23 which there is located no village, town, or city with a population of more than 15,000 according
24 to the most recent official federal census, and (vi) any member of the board of directors of a
25 public hospital if all of the following apply:

- 26 (1) The undertaking or contract or series of undertakings or contracts between
27 the village, town, city, county, county social services board, county or city
28 board of education, local health board or area mental health, developmental
29 disabilities, and substance abuse board, or public hospital and one of its
30 officials is approved by specific resolution of the governing body adopted in
31 an open and public meeting, and recorded in its minutes and the amount does
32 not exceed ~~twelve thousand five hundred dollars (\$12,500)~~ fourteen
33 thousand five hundred dollars (\$14,500) for medically related services and
34 ~~twenty five thousand dollars (\$25,000)~~ thirty thousand dollars (\$30,000) for
35 other goods or services within a 12-month period. The dollar amounts in this
36 subdivision are subject to the inflation indexing provisions of G.S. 12-5,



1 which shall be effective for the dollar amounts in this subdivision on January
2 1, 2011.

3 (2) The official entering into the contract with the unit or agency does not
4 participate in any way or vote.

5 (3) The total annual amount of contracts with each official, shall be specifically
6 noted in the audited annual financial statement of the village, town, city, or
7 county.

8 (4) The governing board of any village, town, city, county, county social
9 services board, county or city board of education, local health board, area
10 mental health, developmental disabilities, and substance abuse board, or
11 public hospital which contracts with any of the officials of their
12 governmental unit shall post in a conspicuous place in its village, town, or
13 city hall, or courthouse, as the case may be, a list of all such officials with
14 whom such contracts have been made, briefly describing the subject matter
15 of the undertakings or contracts and showing their total amounts; this list
16 shall cover the preceding 12 months and shall be brought up-to-date at least
17 quarterly."

18 **SECTION 2.** Chapter 12 of the General Statutes is amended by adding a new
19 section to read:

20 "**§ 12-5. Uniform value change indexing.**

21 For every statute that expressly references this section for the purpose of value change
22 indexing of a dollar amount, the dollar value to which the statute refers shall be determined in
23 accordance with this section. To account for changes in the value of money, the Attorney
24 General shall each year apply the percentage change in the Consumer Price Index for All Urban
25 Consumers for the 12-month period preceding July 1 to the dollar amounts set out in each
26 statute that expressly references this section, or to the most recent revisal of those dollar
27 amounts, whichever is the latter. The Attorney General shall cause those adjusted amounts to
28 be published in the North Carolina Register as soon as practicable. The Attorney General shall
29 also notify the Revisor of Statutes. The revised amount shall be applicable to each of those
30 statutes beginning January 1 of the next year and until January 1 of the following year. The
31 Revisor of Statutes shall cause to be published a revision of the statute with the revised amount
32 substituted for the previous amount."

33 **SECTION 3.** This act becomes effective October 1, 2009.