

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 1006

Short Title: State Contracts/Slavery Profits.

(Public)

Sponsors: Representatives Womble; and Jones.

Referred to: State Government.

March 31, 2005

1 A BILL TO BE ENTITLED
2 AN ACT REQUIRING COMPANIES ENTERING INTO CONTRACTS WITH
3 STATE DEPARTMENTS TO EXAMINE THEIR RECORDS FOR EVIDENCE
4 OF PARTICIPATION IN OR PROFITING FROM SLAVERY.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 3 of Chapter 143 of the General Statutes is amended by
7 adding the following new section to read:

8 **"§ 143-59.4. Vendors search records for information on slavery participation or**
9 **profit.**

10 (a) The following definitions apply in this section:

- 11 (1) Enslaved person. – Any person who was wholly subject to the will of
12 another and whose person and services were wholly under the control
13 of another and who was in a state of enforced compulsory service to
14 another during the slavery era.
- 15 (2) Investment. – To make use of an enslaved person for future benefits or
16 advantages.
- 17 (3) Participation. – Having been a slaveholder during the slavery era.
- 18 (4) Predecessor vendor. – An entity whose ownership, title, and interest,
19 including all rights, benefits, duties, and liabilities were acquired in an
20 uninterrupted chain of succession by the Vendor.
- 21 (5) Profits. – Any economic advantage or financial benefit derived from
22 the use of enslaved persons.
- 23 (6) Slavery. – The practice of owning enslaved persons.
- 24 (7) Slavery era. – That period of time in the United States of America
25 prior to 1865.
- 26 (8) Slaveholder. – Holders of enslaved persons, owners of business
27 enterprises using enslaved persons, owners of vessels carrying
28 enslaved persons or other means of transporting enslaved persons, and

1 merchants or financiers dealing in the purchase, sale, or financing of
2 the business of enslaved persons.

3 (9) Slaveholder insurance policies. – Policies issued to or for the benefit of
4 slaveholders to insure them against the death of or injury to enslaved
5 persons.

6 (b) A vendor entering into a contract for goods or services with a department of
7 the State shall complete an affidavit, prior to or contemporaneous with entering into the
8 contract, certifying the following:

9 (1) The vendor has searched any and all records of the vendor, or any
10 predecessor vendor, for records of participation or investment in or
11 profits derived from slavery, including slaveholder insurance policies
12 issued during the slavery era.

13 (2) The vendor has disclosed any and all records of participation in or
14 profits derived from slavery by the vendor, or any predecessor vendor,
15 including issuance of slaveholder insurance policies during the slavery
16 era, and the vendor has identified the names of any enslaved persons or
17 slaveholders described in the records.

18 (c) A State department may terminate a contract entered into with a vendor if the
19 vendor fails to fully and accurately complete the affidavit required in subsection (b) of
20 this section.

21 (d) The Secretary of Administration shall: (i) develop an affidavit to be used by
22 State departments and vendors; and (ii) monitor compliance with the provisions of this
23 section, including investigation of alleged violations.

24 (e) The provisions of this section shall not apply to the following:

25 (1) Contracts entered into by State departments with other governmental
26 entities, including the United States of America, a county, city, or
27 public agency of one of these entities.

28 (2) Contracts for the purchase of articles in certain emergencies as
29 provided in G.S. 143-57."

30 **SECTION 2.** This act is effective when it becomes law and applies to
31 contracts entered into on or after October 1, 2005.