

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

S

2

SENATE BILL 323
Judiciary II Committee Substitute Adopted 4/16/03

Short Title: Gen. Contrs/Protect Info/Clarify Inj. Relief.

(Public)

Sponsors:

Referred to:

March 6, 2003

A BILL TO BE ENTITLED

AN ACT TO PROTECT THE IDENTITY OF A COMPLAINING PARTY AGAINST
A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE
LICENSING BOARD FOR GENERAL CONTRACTORS PRIOR TO A
HEARING BY THE BOARD AND TO CLARIFY WHEN THE BOARD MAY
SEEK INJUNCTIVE RELIEF.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 87 of the General Statutes is amended by
adding the following new section to read:

"§ 87-15.3. Identity of complaining party confidential.

Once a complaint has been filed with the Board against a licensee or an unlicensed
general contractor, the Board may, in its discretion, keep the identity of a complaining
party confidential and not a public record within the meaning of Chapter 132 of the
General Statutes until a time no later than the receipt of the complaint by the full Board
for a disciplinary hearing."

SECTION 2. G.S. 87-13.1 reads as rewritten:

"§ 87-13.1. Board may seek injunctive relief.

Whenever ~~it appears to~~ the Board determines that any person, firm or corporation
has violated or is violating any of the provisions of this Article or ~~of the~~ rules and
regulations of the Board promulgated under this Article, the Board may apply to the
superior court for a restraining order and injunction to restrain the violation; and the
superior courts have jurisdiction to grant the requested relief, irrespective of whether or
not criminal prosecution has been instituted or administrative sanctions imposed by
reason of the violation."

SECTION 3. This act is effective when it becomes law.