

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE BILL 323  
Judiciary II Committee Substitute Adopted 4/16/03  
Third Edition Engrossed 4/22/03

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 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 or injunctive action."

**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.