

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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SENATE DRS15129-ST-26 (02/23)

Short Title: Personnel Records Technical Changes.

(Public)

Sponsors: Senator Brunstetter.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO CLARIFY THE DATE ON WHICH CERTAIN PERSONNEL INFORMATION  
3 REQUIRED BY S.L. 2010-169 MUST BE RELEASED.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 18(h) of S.L. 2010-169 reads as rewritten:

6 "**SECTION 18.(h)** This section becomes effective ~~October 1, 2010.~~ October 1, 2010, and  
7 applies to notices of dismissals, suspensions, and demotions for disciplinary reasons taken on  
8 or after that date. This section applies to disclosure of the date and type of each increase or  
9 decrease in salary and to disclosure of the date and type of each promotion, demotion, transfer,  
10 suspension, separation, or other change in position classification taken on or after October 1,  
11 2007."

12 **SECTION 2.** G.S. 126-23(a) reads as rewritten:

13 "**§ 126-23. Certain records to be kept by State agencies open to inspection.**

14 (a) Each department, agency, institution, commission and bureau of the State shall  
15 maintain a record of each of its employees, showing the following information with respect to  
16 each such employee:

- 17 (1) Name.
- 18 (2) Age.
- 19 (3) Date of original employment or appointment to State service.
- 20 (4) The terms of any contract by which the employee is employed whether  
21 written or oral, past and current, to the extent that the agency has the written  
22 contract or a record of the oral contract in its possession.
- 23 (5) Current position.
- 24 (6) Title.
- 25 (7) Current salary.
- 26 (8) Date and amount of each increase or decrease in salary with that department,  
27 agency, institution, commission, or ~~bureau.~~ bureau since October 1, 2007.
- 28 (9) Date and type of each promotion, demotion, transfer, suspension,  
29 separation, or other change in position classification with that department,  
30 agency, institution, commission, or ~~bureau.~~ bureau since October 1, 2007.
- 31 (10) Date and general description of the reasons for each promotion with that  
32 department, agency, institution, commission, or ~~bureau.~~ bureau since October  
33 1, 2007.



1 (11) Date and type of each dismissal, suspension, or demotion for disciplinary  
2 reasons taken by the department, agency, institution, commission, or  
3 ~~bureau-bureau~~ since October 1, 2010.

4 (11a) If the disciplinary action under subdivision (11) of this subsection was a  
5 dismissal, a copy of the written ~~notice-notice, if created,~~ of the final decision  
6 of the head of the department setting forth the specific acts or omissions that  
7 are the basis of the dismissal. This subdivision does not require the creation  
8 of a notice of dismissal if the creation of the notice is not otherwise required  
9 by law.

10 (12) The office or station to which the employee is currently assigned."

11 **SECTION 3.** G.S. 115C-320(a) reads as rewritten:

12 **"§ 115C-320. Certain records open to inspection.**

13 (a) Each local board of education shall maintain a record of each of its employees,  
14 showing the following information with respect to each employee:

15 (1) Name.

16 (2) Age.

17 (3) Date of original employment or appointment.

18 (4) The terms of any contract by which the employee is employed whether  
19 written or oral, past and current, to the extent that the board has the written  
20 contract or a record of the oral contract in its possession.

21 (5) Current position.

22 (6) Title.

23 (7) Current salary.

24 (8) Date and amount of each increase or decrease in salary with that local board  
25 of ~~education-education~~ since October 1, 2007.

26 (9) Date and type of each promotion, demotion, transfer, suspension, separation,  
27 or other change in position classification with that local board of  
28 ~~education-education~~ since October 1, 2007.

29 (10) Date and general description of the reasons for each promotion with that  
30 local board of ~~education-education~~ since October 1, 2007.

31 (11) Date and type of each dismissal, suspension, or demotion for disciplinary  
32 reasons taken by the local board of ~~education-education~~ since October 1,  
33 2010.

34 (11a) If the disciplinary action under subdivision (11) of this subsection was a  
35 dismissal, a copy of the written ~~notice-notice, if created,~~ of the final decision  
36 of the local board education setting forth the specific acts or omissions that  
37 are the basis of the dismissal. This subdivision does not require the creation  
38 of a notice of dismissal if the creation of the notice is not otherwise required  
39 by law.

40 (12) The office or station to which the employee is currently assigned."

41 **SECTION 4.** G.S. 115D-28(a) reads as rewritten:

42 **"§ 115D-28. Certain records open to inspection.**

43 (a) Each board of trustees shall maintain a record of each of its employees, showing the  
44 following information with respect to each employee:

45 (1) Name.

46 (2) Age.

47 (3) Date of original employment or appointment.

48 (4) The terms of any contract by which the employee is employed whether  
49 written or oral, past and current, to the extent that the board has the written  
50 contract or a record of the oral contract in its possession.

51 (5) Current position.

- 1 (6) Title.
- 2 (7) Current salary.
- 3 (8) Date and amount of each increase or decrease in salary with that community
- 4 ~~college~~.college since October 1, 2007.
- 5 (9) Date and type of each promotion, demotion, transfer, suspension,
- 6 separation, or other change in position classification with that community
- 7 ~~college~~.college since October 1, 2007.
- 8 (10) Date and general description of the reasons for each promotion with that
- 9 community ~~college~~.college since October 1, 2007.
- 10 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
- 11 reasons taken by the community ~~college~~.college since October 1, 2010.
- 12 (11a) If the disciplinary action under subdivision (11) of this subsection was a
- 13 dismissal, a copy of the written ~~notice~~-notice, if created, of the final decision
- 14 of the board of trustees setting forth the specific acts or omissions that are
- 15 the basis of the dismissal. This subdivision does not require the creation of a
- 16 notice of dismissal if the creation of the notice is not otherwise required by
- 17 law.
- 18 (12) The office or station to which the employee is currently assigned."

**SECTION 5.** G.S. 112C-158(b) reads as rewritten:

19 (b) The following information with respect to each employee is a matter of public  
 20 record:  
 21

- 22 (1) Name.
- 23 (2) Age.
- 24 (3) Date of original employment or appointment to the area authority.
- 25 (4) The terms of any contract by which the employee is employed whether
- 26 written or oral, past and current, to the extent that the agency has the written
- 27 contract or a record of the oral contract in its possession.
- 28 (5) Current position.
- 29 (6) Title.
- 30 (7) Current salary.
- 31 (8) Date and amount of each increase or decrease in salary with that area
- 32 ~~authority~~.authority since October 1, 2007.
- 33 (9) Date and type each promotion, demotion, transfer, suspension, separation,
- 34 or other change in position classification with that area ~~authority~~.authority
- 35 since October 1, 2007.
- 36 (10) Date and general description of the reasons for each promotion with that area
- 37 ~~authority~~.authority since October 1, 2007.
- 38 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
- 39 reasons taken by the area ~~authority~~.authority since October 1, 2010.
- 40 (11a) If the disciplinary action under subdivision (11) of this subsection was a
- 41 dismissal, a copy of the written ~~notice~~-notice, if created, of the final decision
- 42 of the area authority setting forth the specific acts or omissions that are the
- 43 basis of the dismissal. This subdivision does not require the creation of a
- 44 notice of dismissal if the creation of the notice is not otherwise required by
- 45 law.
- 46 (12) The office to which the employee is currently assigned."

**SECTION 6.** G.S. 153A-98(b) reads as rewritten:

47 (b) The following information with respect to each county employee is a matter of  
 48 public record:  
 49

- 50 (1) Name.
- 51 (2) Age.

- 1 (3) Date of original employment or appointment to the county service.
- 2 (4) The terms of any contract by which the employee is employed whether
- 3 written or oral, past and current, to the extent that the county has the written
- 4 contract or a record of the oral contract in its possession.
- 5 (5) Current position.
- 6 (6) Title.
- 7 (7) Current salary.
- 8 (8) Date and amount of each increase or decrease in salary with that
- 9 ~~county-county~~ since October 1, 2007.
- 10 (9) Date and type of each promotion, demotion, transfer, suspension, separation
- 11 or other change in position classification with that ~~county-county~~ since
- 12 October 1, 2007.
- 13 (10) Date and general description of the reasons for each promotion with that
- 14 ~~county-county~~ since October 1, 2007.
- 15 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
- 16 reasons taken by the ~~county-county~~ since October 1, 2010.
- 17 (11a) If the disciplinary action under subdivision (11) of this subsection was a
- 18 dismissal, a copy of the written ~~notice-notice, if created,~~ of the final decision
- 19 of the county setting forth the specific acts or omissions that are the basis of
- 20 the dismissal. This subdivision does not require the creation of a notice of
- 21 dismissal if the creation of the notice is not otherwise required by law.
- 22 (12) The office to which the employee is currently assigned."

**SECTION 7.** G.S. 160A-168(b) reads as rewritten:

24 (b) The following information with respect to each city employee is a matter of public  
25 record:

- 26 (1) Name.
- 27 (2) Age.
- 28 (3) Date of original employment or appointment to the service.
- 29 (4) The terms of any contract by which the employee is employed whether
- 30 written or oral, past and current, to the extent that the city has the written
- 31 contract or a record of the oral contract in its possession.
- 32 (5) Current position.
- 33 (6) Title.
- 34 (7) Current salary.
- 35 (8) Date and amount of each increase or decrease in salary with that
- 36 ~~municipality-municipality~~ since October 1, 2007.
- 37 (9) Date and type of each promotion, demotion, transfer, suspension,
- 38 separation, or other change in position classification with that
- 39 ~~municipality-municipality~~ since October 1, 2007.
- 40 (10) Date and general description of the reasons for each promotion with that
- 41 ~~municipality-municipality~~ since October 1, 2007.
- 42 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
- 43 reasons taken by the ~~municipality-municipality~~ since October 1, 2010.
- 44 (11a) If the disciplinary action under subdivision (11) of this subsection was a
- 45 dismissal, a copy of the written ~~notice-notice, if created,~~ of the final decision
- 46 of the municipality setting forth the specific acts or omissions that are the
- 47 basis of the dismissal. This subdivision does not require the creation of a
- 48 notice of dismissal if the creation of the notice is not otherwise required by
- 49 law.
- 50 (12) The office to which the employee is currently assigned."

**SECTION 8.** G.S. 162A-6.1(b) reads as rewritten:

1       "(b) The following information with respect to each authority employee is a matter of  
2 public record:

- 3           (1) Name.  
4           (2) Age.  
5           (3) Date of original employment or appointment to the service.  
6           (4) The terms of any contract by which the employee is employed whether  
7           written or oral, past and current, to the extent that the authority has the  
8           written contract or a record of the oral contract in its possession.  
9           (5) Current position.  
10          (6) Title.  
11          (7) Current salary.  
12          (8) Date and amount of each increase or decrease in salary with that  
13          ~~authority~~authority since October 1, 2007.  
14          (9) Date and type of each promotion, demotion, transfer, suspension, separation,  
15          or other change in position classification with that ~~authority~~authority since  
16          October 1, 2007.  
17          (10) Date and general description of the reasons for each promotion with that  
18          ~~authority~~authority since October 1, 2007.  
19          (11) Date and type of each dismissal, suspension, or demotion for disciplinary  
20          reasons taken by the ~~authority~~authority since October 1, 2010.  
21          (11a) If the disciplinary action under subdivision (11) of this subsection was a  
22          dismissal, a copy of the written ~~notice~~notice, if created, of the final decision  
23          of the authority setting forth the specific acts or omissions that are the basis  
24          of the dismissal. This subdivision does not require the creation of a notice of  
25          dismissal if the creation of the notice is not otherwise required by law.  
26          (12) The office to which the employee is currently assigned."

27       **SECTION 9.** This act is effective when it becomes law.