

Article 3.

Sheriffs.

§ 17E-25. Disclosure of convictions and expungements for the office of sheriff.

(a) Each individual filing, or intending to file, a notice of candidacy for election or any individual prior to appointment to fill a vacancy to the office of sheriff shall request the Commission to prepare a disclosure statement verifying that individual has no prior felony convictions or expungements of felony convictions. The individual shall provide such information as required by the Commission for the completion of the disclosure statement, including any evidence that the individual has been granted an unconditional pardon of innocence for a felony crime in this State, any other state, or the United States.

(b) Upon the request of an individual filing, or intending to file, a notice of candidacy for election as sheriff or any individual prior to appointment to fill a vacancy to the office of sheriff, the Commission shall prepare a disclosure statement verifying that the individual has no prior felony convictions or expungements for felony convictions. The disclosure statement shall be in a format as determined by the Commission but shall include at least all of the following:

- (1) Name of the individual.
- (2) Date the disclosure statement was prepared.
- (3) County of residence of the individual.
- (4) A statement that the individual has no prior felony convictions or expungements for felony convictions, if in fact the individual has no prior felony convictions or expungements for felony convictions.

(c) In preparing the disclosure statement, the Commission shall do at least all of the following:

- (1) Conduct a criminal history record check of State and national databases to determine if the individual has a record of a felony conviction.
- (2) Contact the Administrative Office of the Courts and request confirmation of whether or not the individual has previously received an expunction of a felony record.
- (3) Determine if the individual has ever been convicted of a felony in violation of Section 2 of Article VII of the North Carolina Constitution.

(d) Any request for a disclosure statement, any supporting documentation used in the preparation of any disclosure statement, and any disclosure statement prepared by the Commission in accordance with this section is confidential and not a public record under Chapter 132 of the General Statutes. (2021-107, s. 5.)

§ 17E-26: Reserved for future codification purposes.

§ 17E-27: Reserved for future codification purposes.

§ 17E-28: Reserved for future codification purposes.

§ 17E-29: Reserved for future codification purposes.

§ 17E-30. Expunction records access.

Notwithstanding G.S. 15A-145.4 or G.S. 15A-145.5, the Commission may gain access to an individual's felony conviction records, including those maintained by the Administrative Office of

the Courts in its confidential files containing the names of persons granted expunctions for the purposes of this Article. (2021-107, s. 5.)

§ 17E-31: Reserved for future codification purposes.

§ 17E-32: Reserved for future codification purposes.

§ 17E-33: Reserved for future codification purposes.

§ 17E-34: Reserved for future codification purposes.

§ 17E-35. Expiration of disclosure of convictions and expungements for the office of sheriff.

Any disclosure statement prepared by the Commission shall be valid for the purpose of filing in accordance with G.S. 163-106, 162-5, or 162-5.1 for 90 days after issuance. (2021-107, s. 5.)