

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 554

Short Title: Personnel Records Technical Changes. (Public)

Sponsors: Senator Brunstetter.

Referred to: Judiciary I.

April 12, 2011

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



1 (11a) If the disciplinary action under subdivision (11) of this subsection was a
2 dismissal, a copy of the written ~~notice~~-notice, if created, of the final decision
3 of the head of the department setting forth the specific acts or omissions that
4 are the basis of the dismissal. This subdivision does not require the creation
5 of a notice of dismissal if the creation of the notice is not otherwise required
6 by law.

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

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

9 **"§ 115C-320. Certain records open to inspection.**

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

12 (1) Name.

13 (2) Age.

14 (3) Date of original employment or appointment.

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

18 (5) Current position.

19 (6) Title.

20 (7) Current salary.

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

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

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

28 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
29 reasons taken by the local board of ~~education~~-education since October 1,
30 2010.

31 (11a) If the disciplinary action under subdivision (11) of this subsection was a
32 dismissal, a copy of the written ~~notice~~-notice, if created, of the final decision
33 of the local board education setting forth the specific acts or omissions that
34 are the basis of the dismissal. This subdivision does not require the creation
35 of a notice of dismissal if the creation of the notice is not otherwise required
36 by law.

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

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

39 **"§ 115D-28. Certain records open to inspection.**

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

42 (1) Name.

43 (2) Age.

44 (3) Date of original employment or appointment.

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

48 (5) Current position.

49 (6) Title.

50 (7) Current salary.

- 1 (8) Date and amount of each increase or decrease in salary with that community
2 ~~college-college~~ since October 1, 2007.
- 3 (9) Date and type of each promotion, demotion, transfer, suspension,
4 separation, or other change in position classification with that community
5 ~~college-college~~ since October 1, 2007.
- 6 (10) Date and general description of the reasons for each promotion with that
7 community ~~college-college~~ since October 1, 2007.
- 8 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
9 reasons taken by the community ~~college-college~~ since October 1, 2010.
- 10 (11a) If the disciplinary action under subdivision (11) of this subsection was a
11 dismissal, a copy of the written ~~notice-notice, if created,~~ of the final decision
12 of the board of trustees setting forth the specific acts or omissions that are
13 the basis of the dismissal. This subdivision does not require the creation of a
14 notice of dismissal if the creation of the notice is not otherwise required by
15 law.
- 16 (12) The office or station to which the employee is currently assigned."
17 **SECTION 5.** G.S. 112C-158(b) reads as rewritten:
18 "(b) The following information with respect to each employee is a matter of public
19 record:
20 (1) Name.
21 (2) Age.
22 (3) Date of original employment or appointment to the area authority.
23 (4) The terms of any contract by which the employee is employed whether
24 written or oral, past and current, to the extent that the agency has the written
25 contract or a record of the oral contract in its possession.
26 (5) Current position.
27 (6) Title.
28 (7) Current salary.
29 (8) Date and amount of each increase or decrease in salary with that area
30 ~~authority-authority~~ since October 1, 2007.
31 (9) Date and type each promotion, demotion, transfer, suspension, separation,
32 or other change in position classification with that area ~~authority-authority~~
33 since October 1, 2007.
34 (10) Date and general description of the reasons for each promotion with that area
35 ~~authority-authority~~ since October 1, 2007.
36 (11) Date and type of each dismissal, suspension, or demotion for disciplinary
37 reasons taken by the area ~~authority-authority~~ since October 1, 2010.
38 (11a) If the disciplinary action under subdivision (11) of this subsection was a
39 dismissal, a copy of the written ~~notice-notice, if created,~~ of the final decision
40 of the area authority setting forth the specific acts or omissions that are the
41 basis of the dismissal. This subdivision does not require the creation of a
42 notice of dismissal if the creation of the notice is not otherwise required by
43 law.
44 (12) The office to which the employee is currently assigned."
45 **SECTION 6.** G.S. 153A-98(b) reads as rewritten:
46 "(b) The following information with respect to each county employee is a matter of
47 public record:
48 (1) Name.
49 (2) Age.
50 (3) Date of original employment or appointment to the county service.

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

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

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

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