

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025**

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SENATE BILL 861

Short Title: Cut State Gov. Jobs Vacant 24 Months or More. (Public)

Sponsors: Senators Burgin, McInnis, and Corbin (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 29, 2026

A BILL TO BE ENTITLED

AN ACT TO ELIMINATE STATE AGENCY PERSONNEL POSITIONS VACANT FOR AT
LEAST TWENTY-FOUR CONSECUTIVE MONTHS AND TO APPROPRIATE FUNDS
FOR IMPLEMENTATION.

The General Assembly of North Carolina enacts:

SECTION 1. Effective July 1, 2026, except as provided by Section 2 of this act, the Office of State Budget and Management (OSBM) shall eliminate unfilled employee positions across State agencies that have been vacant for at least 24 months by transferring from the various employing agencies all lapsed salary funds associated with those positions vacant on July 1, 2026. The cost-savings generated by these position eliminations shall be retained in a budgetary reserve and shall not be expended until appropriated by the General Assembly.

SECTION 2.(a) Notwithstanding the provisions of Section 1 of this act, the OSBM shall not do the following pursuant to this act:

- (1) Eliminate positions that are:
 - a. Held open pursuant to a court order or pending litigation.
 - b. Funded entirely by federal or other non-State funds.
 - c. Designated by the Governor as necessary for emergency preparedness.
- (2) Transfer lapsed salary funds designated to be expended or redirected for the following purposes:
 - a. State self-funded workers' compensation claims, disability claims, and tort claims.
 - b. Overtime pay and shift pay in the Department of Public Safety, the Department of Adult Correction, the Department of Health and Human Services, or any other State department, agency, or institution that operates daily on a 24-hour basis.
 - c. Nonpersonnel expenditures in the Department of Public Safety and the Department of Adult Correction to include the costs of inmate medical care, jailed misdemeanants in county jails, per diem expenses for State inmates held in local jails, funding related to private prisons, and any needs deemed critical by either Department.
 - d. Third-party contracts for staff contributing to the operation of 24-hour facilities.

The OSBM shall submit a written report to the General Assembly and the Fiscal Research Division, by December 1, 2026, providing the details of the vacant position eliminations and transfers of lapsed salary funds. At a minimum, the report shall include the respective fund codes for each State agency and the position numbers, job titles, salaries, and sources of funding for



1 each position eliminated; and for each position not eliminated, the OSBM shall provide these
2 details, plus the justification for exclusion.

3 **SECTION 2.(b)** The provisions of this act do not apply to the judicial branch, to the
4 legislative branch, or to State-funded local employees of community colleges or local public
5 school units.

6 **SECTION 3.** Effective July 1, 2027, Article 6 of Chapter 143C of the General
7 Statutes is amended by adding a new section to read:

8 "**§ 143C-6-6.1. Elimination of vacant positions unfilled for 24 months.**

9 (a) Any vacant position that remains vacant for 24 or more consecutive months is
10 abolished effective on the first day of the fiscal quarter immediately following the end of that
11 24-month period. For purposes of this section, a "vacant position" is any authorized State position
12 that is not filled by a permanent employee and is not subject to active posted recruitment.

13 (b) The OSBM shall reflect each abolishment under this section in the certified budget.
14 The State agency holding the position shall notify OSBM and the Office of State Human
15 Resources within 30 days after a position becomes subject to abolishment under this section.

16 (c) The provisions of this act shall remain in force and effect unless expressly repealed
17 by a subsequent act of the General Assembly."

18 **SECTION 4.** Effective July 1, 2026, there is appropriated from the General Fund to
19 the Office of State Budget and Management the sum of one hundred thousand dollars (\$100,000)
20 in nonrecurring funds for the 2026-2027 fiscal year to implement the provisions of this act.

21 **SECTION 5.** Except as otherwise provided, this act is effective when it becomes
22 law.