

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40320-ND-124

Short Title: Modify Training/Standards Commissions Power. (Public)

Sponsors: Representative Carson Smith.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MODIFY VARIOUS POWERS OF THE CRIMINAL JUSTICE AND SHERIFFS'
3 EDUCATION AND TRAINING STANDARDS COMMISSIONS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 17C-6(a) reads as rewritten:

6 "(a) In addition to powers conferred upon the Commission elsewhere in this Article, the
7 Commission shall have the following powers, which shall be enforceable through its rules and
8 regulations, certification procedures, or the provisions of G.S. 17C-10:

9 ...

10 (6) Establish minimum standards and levels of education and experience for all
11 criminal justice ~~instructors~~instructors, including instructors with probationary
12 or limited teaching privileges, qualified assistants, in-service training
13 coordinators, executive officers, and school ~~directors~~directors, who
14 participate in programs or courses of instruction that are required by this
15 Article.

16 (7) Certify and recertify, suspend, revoke, or deny, pursuant to the standards that
17 it has established for the purpose, criminal justice ~~instructors~~instructors,
18 including instructors with probationary or limited teaching privileges,
19 qualified assistants, in-service training coordinators, executive officers, and
20 school ~~directors~~directors, who participate in programs or courses of
21 instruction that are required by this Article or are required and approved by
22 their respective criminal justice agency to include those certified under
23 Chapter 17E or an educational institution accredited by the Commission.

24 (8) Investigate and make such evaluations as may be necessary to determine if
25 criminal justice agencies, schools, and ~~individuals~~instructors, including
26 instructors with probationary or limited teaching privileges, qualified
27 assistants, in-service training coordinators, executive officers, and school
28 directors, are complying with the provisions of this Article.

29"

30 **SECTION 2.** G.S. 17E-4(a) reads as rewritten:

31 "(a) The Commission shall have the following powers, duties, and responsibilities, which
32 are enforceable through its rules and regulations, certification procedures, or the provisions of
33 G.S. 17E-8 and G.S. 17E-9:

34 (1) Promulgate rules and regulations for the administration of this Chapter, which
35 rules may require (i) the submission by any agency of information with respect
36 to the employment, education, and training of its justice officers, and (ii) the



- 1 submission by any training school of information with respect to its programs
 2 that are required by this ~~Chapter;~~Chapter.
 3 ...
 4 (3) Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it
 5 may establish for the purpose, persons as qualified under the provisions of this
 6 Chapter who may be employed at entry level as ~~officers;~~officers.
 7 (4) Establish minimum standards for the certification of training schools and
 8 programs or courses of instruction that are required by this ~~Chapter;~~Chapter.
 9 (5) Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it
 10 has established for the purpose, training schools and programs or courses of
 11 instruction that are required by this ~~Chapter;~~Chapter.
 12 (6) Establish standards and levels of education or equivalent experience for
 13 ~~teachers—criminal justice school instructors, including instructors with~~
 14 probationary or limited teaching privileges, qualified assistants, in-service
 15 training coordinators, executive officers, and school directors, who participate
 16 in programs or courses of instruction that are required by this
 17 ~~Chapter;~~Chapter.
 18 (7) Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it
 19 has established for the purpose, ~~teachers—criminal justice school instructors,~~
 20 including instructors with probationary or limited teaching privileges,
 21 qualified assistants, in-service training coordinators, executive officers, and
 22 school directors, who participate in programs or courses of instruction that are
 23 required by this ~~Chapter;~~Chapter or are required and approved by the
 24 instructor's agency, including programs or courses of instruction certified
 25 under Chapter 17C of the General Statutes or offered by an educational
 26 institution accredited by the Commission.
 27 (8) Investigate and make such evaluations as may be necessary to determine if
 28 ~~agencies—agencies, criminal justice school instructors, including instructors~~
 29 with probationary or limited teaching privileges, qualified assistants,
 30 in-service training coordinators, executive officers, and school directors, are
 31 complying with the provision[s] of this ~~Chapter;~~Chapter.
 32 (9) Adopt and amend bylaws, consistent with law, for its internal management
 33 and ~~control;~~control.
 34 (10) Enter into contracts incident to the administration of its authority pursuant to
 35 this ~~Chapter;~~Chapter.
 36 ...

37 The Commission may certify, and no additional certification shall be required from it, programs,
 38 courses and teachers certified by the North Carolina Criminal Justice Education and Training
 39 Standards Commission. Where the Commission determines that a program, course, instructor or
 40 teacher is required for an area which is unique to the office of sheriff, the Commission may certify
 41 such program, course, instructor, or teacher under such standards and procedures as it may
 42 establish."

43 **SECTION 3.** G.S. 17E-5 is amended by adding a new subsection to read:

44 "(c) Any papers, documents, or other records which become the property of the
 45 Commission that are placed in the criminal justice officer's personnel file maintained by the
 46 Commission shall be subject to the same disclosure requirements set forth in Chapters 126, 153A,
 47 and 160A of the General Statutes regarding the privacy of personnel records."

48 **SECTION 4.** This act is effective when it becomes law.