

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 312  
Committee Substitute Favorable 4/1/99

Short Title: Code Officials Professionalism/AB.

(Public)

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Sponsors:

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Referred to:

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March 4, 1999

A BILL TO BE ENTITLED

1 AN ACT TO ESTABLISH A PROFESSIONAL DEVELOPMENT PROGRAM FOR  
2 CODE-ENFORCEMENT OFFICIALS, TO AUTHORIZE THE USE OF FUNDS  
3 FROM THE DEPARTMENT OF INSURANCE FUND FOR PROFESSIONAL  
4 DEVELOPMENT OF CODE-ENFORCEMENT OFFICIALS, AND TO  
5 APPROPRIATE FUNDS FROM THE DEPARTMENT OF INSURANCE FUND  
6 FOR THAT PURPOSE.

7 The General Assembly of North Carolina enacts:

8 Section 1. Article 9C of Chapter 143 of the General Statutes is amended by  
9 adding a new section to read:

10 **"§ 143-151.13A. Professional development program for officials.**

11 (a) As used in this section, 'official' means a qualified Code-enforcement official,  
12 as defined in G.S. 143-151.8.

13 (b) The Board may establish professional development requirements for officials  
14 as a condition of the renewal or reactivation of their certificates. The purposes of these  
15 professional development requirements are to assist officials in maintaining professional  
16 competence in their enforcement of the Code and to assure the health, safety, and welfare  
17 of the citizens of North Carolina. An official subject to this section shall present  
18 evidence to the Board at each certificate renewal after initial certification, that during the  
19

1 12 months before the certificate expiration date, the official has completed the required  
2 number of credit hours in courses approved by the Board. Annual continuing education  
3 hour requirements shall be determined by the Board, but shall not be more than six credit  
4 hours.

5 (c) The Board may require an individual who earns a standard certificate under the  
6 prequalification program established in G.S. 143-151.13(d) to complete professional  
7 development courses, not to exceed six hours in each technical area of certification,  
8 within one year after that individual is first employed by a city or county inspection  
9 department.

10 (d) As a condition of reactivating a standard or limited certificate, the Board may  
11 require the completion of professional development courses within one year after  
12 reemployment as an official as follows:

13 (1) An individual who has been on inactive status for more than two years  
14 and who has not been continuously employed by a city or county  
15 inspection department during the period of inactive status shall complete  
16 professional development courses not to exceed 12 hours for each  
17 technical area in which the individual is certified.

18 (2) An individual who has been on inactive status for more than two years  
19 but who has been continuously employed by a city or county inspection  
20 department during the period of inactive status shall complete  
21 professional development courses not to exceed six hours for each  
22 technical area in which the individual is certified.

23 (3) An individual who has been on inactive status for two years or less and  
24 who has been continuously employed by a city or county inspection  
25 department during the period of inactive status shall complete  
26 professional development courses not to exceed four hours for each  
27 technical area in which the individual is certified.

28 (e) The Board may, for good cause shown, grant extensions of time to officials to  
29 comply with these requirements. An official who, after obtaining an extension under this  
30 subsection, offers evidence satisfactory to the Board that the official has satisfactorily  
31 completed the required professional development courses, is in compliance with this  
32 section.

33 (f) The Board may adopt rules to give purpose and effect to the professional  
34 development requirements, including rules that govern:

35 (1) The content and subject matter of professional development courses.

36 (2) The criteria, standards, and procedures for the approval of courses,  
37 course sponsors, and course instructors.

38 (3) The methods of instruction.

39 (4) The computation of course credit.

40 (5) The ability to carryforward course credit from one year to another.

41 (6) The waiver of or variance from the professional development  
42 requirement for hardship or other reasons.

43 (7) The procedures for compliance and sanctions for noncompliance."

1 Section 2. G.S. 58-6-25(d) reads as rewritten:

2 "(d) Use of Proceeds. – The Insurance Regulatory Fund is created in the State  
3 treasury, under the control of the Office of State Budget and Management. The proceeds  
4 of the charge levied in this section and all fees collected under Articles 69 through 71 of  
5 this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be  
6 credited to the Fund. The Fund shall be placed in an interest-bearing account and any  
7 interest or other income derived from the Fund shall be credited to the Fund. Moneys in  
8 the Fund may be spent only pursuant to appropriation by the General Assembly and in  
9 accordance with the line item budget enacted by the General Assembly. The Fund is  
10 subject to the provisions of the Executive Budget Act, except that no unexpended surplus  
11 of the Fund shall revert to the General Fund. All money credited to the Fund shall be used  
12 to reimburse the General Fund for the following:

- 13 (1) Money appropriated to the Department of Insurance to pay its expenses  
14 incurred in regulating the insurance industry and other industries in this  
15 State.
- 16 (2) Money appropriated to State agencies to pay the expenses incurred in  
17 regulating the insurance industry, in certifying statewide data processors  
18 under Article 11A of Chapter 131E of the General Statutes, and in  
19 purchasing reports of patient data from statewide data processors  
20 certified under that Article.
- 21 (3) Money appropriated to the Department of Revenue to pay the expenses  
22 incurred in collecting and administering the taxes on insurance  
23 companies levied in Article 8B of Chapter 105 of the General Statutes.
- 24 (4) Money appropriated to the Department of Insurance for the Code-  
25 enforcement officials professional development requirements under  
26 G.S. 143-151.13A."

27 Section 3. There is appropriated from the Department of Insurance Fund,  
28 established in G.S. 58-6-25, to the Department of Insurance the sum of one hundred  
29 thousand dollars (\$100,000) for the 1999-2000 fiscal year for the Code Officials  
30 Qualification Board for the purpose of developing and implementing the Code officials  
31 professional development program established in G.S. 143-151.13A.

32 Section 4. Section 1 of this act applies to certificates issued or renewed on and  
33 after October 1, 1999. Section 3 of this act becomes effective July 1, 1999. The  
34 appropriation in Section 3 of this act is contingent upon the implementation of the  
35 program by the Code Officials Qualification Board and may be used only for the purpose  
36 of developing and implementing the program. The remainder of this act is effective  
37 when it becomes law.