## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2005

H HOUSE DRH10274-LU-93 (3/22)

Short Title: Amend Interpreter/Transliterator License Act. (Public)

Sponsors: Representative Alexander.

Referred to:

1 A BILL TO BE ENTITLED

AN ACT TO AMEND CERTAIN LAWS UNDER THE NORTH CAROLINA INTERPRETER AND TRANSLITERATOR LICENSURE ACT, TO EXPAND THE GROUP OF PERSONS WHO MAY OBTAIN A PROVISIONAL LICENSE UNDER THE ACT, AND TO AUTHORIZE THE NORTH CAROLINA INTERPRETER AND TRANSLITERATOR LICENSING BOARD TO ASSESS CIVIL PENALTIES.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 90D-4(b) is amended by adding the following new subdivision to read:

'(b) The provisions of this Chapter do not apply to:

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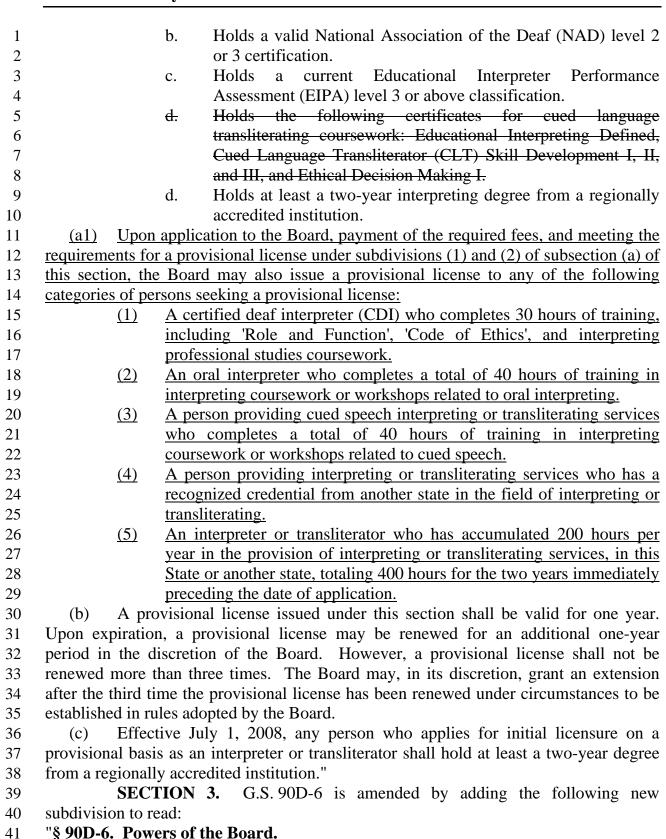
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(6) Nonresident persons who are nationally certified providing interpreting or transliterating services in this State no more than 20 days per year in accordance with rules adopted by the Board."

**SECTION 2.** G.S. 90D-8 reads as rewritten:

## "§ 90D-8. Provisional license.

- (a) Upon application to the Board and the payment of the required fees, an applicant may be issued a one-time provisional license as an interpreter or transliterator if the applicant meets all of the following qualifications:
  - (1) Is at least 18 years of age.
  - (2) Is of good moral character as determined by the Board.
  - (3) Completes two continuing education units approved by the Board. These units must be completed for each renewable year.
    - (4) Satisfies one of the following:
      - a. Holds a quality assurance North Carolina Interpreter Classification System (NCICS) level C classification.



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The Board shall have the power and duty to:

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1	(12) Conduct administrative hearings in accordance with Article 3A of
2	Chapter 150B of the General Statutes."
3	<b>SECTION 4.</b> Chapter 90D of the General Statutes is amended by adding the
4	following new section to read:
5	"§ 90D-14. Civil penalties.
6	(a) Authority to Assess Civil Penalties. – The Board may assess a civil penalty
7	not to exceed one thousand dollars (\$1,000) for the violation of any section of this
8	Chapter or any rules adopted by the Board. The clear proceeds of any civil penalty
9	assessed under this section shall be remitted to the Civil Penalty and Forfeiture Fund in
10	accordance with G.S. 115C-457.2.
11	(b) Consideration Factors. – Before imposing and assessing a civil penalty, the
12	Board shall consider the following factors:
13	(1) The nature, gravity, and persistence of the particular violation.
14	(2) The appropriateness of the imposition of a civil penalty when
15	considered alone or in combination with other punishment.
16	(3) Whether the violation was willful and malicious.
17	(4) Any other factors that would tend to mitigate or aggravate the
18	violations found to exist.
19	(c) Schedule of Civil Penalties. – The Board shall establish a schedule of civil
20	penalties for violations of this Chapter or rules adopted by the Board.
21	(d) Costs. – The Board may assess the costs of disciplinary actions against a
22	person found to be in violation of this Chapter or rules adopted by the Board."
23	SECTION 5 This act is effective when it becomes law

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