

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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HOUSE BILL 445

Short Title: Code Officials Professionalism-AB.

(Public)

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Sponsors: Representative Gibson.

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Referred to: State Government, if favorable, Appropriations.

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March 1, 2001

A BILL TO BE ENTITLED

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

8 The General Assembly of North Carolina enacts:

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

11 **"§ 143-151.13A. Professional development program for officials.**

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

14       (b) The Board may establish professional development requirements for officials  
15 as a condition of the renewal or reactivation of their certificates. The purposes of these  
16 professional development requirements are to assist officials in maintaining professional  
17 competence in their enforcement of the Code and to assure the health, safety, and  
18 welfare of the citizens of North Carolina. An official subject to this section shall present  
19 evidence to the Board at each certificate renewal after initial certification, that during  
20 the 12 months before the certificate expiration date, the official has completed the  
21 required number of credit hours in courses approved by the Board. Annual continuing  
22 education hour requirements shall be determined by the Board but shall not be more  
23 than six credit hours.

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

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

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

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

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

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

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

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

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

29           (3) The methods of instruction.

30           (4) The computation of course credit.

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

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

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

35       **SECTION 2.** G.S. 58-6-25(d) reads as rewritten:

36       "(d) Use of Proceeds. – The Insurance Regulatory Fund is created in the State  
37 treasury, under the control of the Office of State Budget and Management. The proceeds  
38 of the charge levied in this section and all fees collected under Articles 69 through 71 of  
39 this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be  
40 credited to the Fund. The Fund shall be placed in an interest-bearing account and any  
41 interest or other income derived from the Fund shall be credited to the Fund. Moneys in  
42 the Fund may be spent only pursuant to appropriation by the General Assembly and in  
43 accordance with the line item budget enacted by the General Assembly. The Fund is  
44 subject to the provisions of the Executive Budget Act, except that no unexpended

1 surplus of the Fund shall revert to the General Fund. All money credited to the Fund  
2 shall be used to reimburse the General Fund for the following:

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

17 **SECTION 3.** There is appropriated from the Department of Insurance Fund,  
18 established in G.S. 58-6-25, to the Department of Insurance the sum of one hundred  
19 thousand dollars (\$100,000) for the 2001-2002 fiscal year for the Code Officials  
20 Qualification Board for the purpose of developing and implementing the Code officials  
21 professional development program established in G.S. 143-151.13A.

22 **SECTION 4.** Section 1 of this act applies to certificates issued or renewed  
23 on and after October 1, 2001. Section 3 of this act becomes effective July 1, 2001. The  
24 appropriation in Section 3 of this act is contingent upon the implementation of the  
25 program by the Code Officials Qualification Board and may be used only for the  
26 purpose of developing and implementing the program. The remainder of this act is  
27 effective when it becomes law.