

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-92
SENATE BILL 221**

AN ACT TO EXEMPT EMPLOYEES OF A PUBLIC HEALTH AUTHORITY FROM
CHAPTER 126 OF THE GENERAL STATUTES AND TO MAKE
CONFORMING CHANGES TO CHAPTER 126.

The General Assembly of North Carolina enacts:

SECTION 1. Part 1B of Article 2 of Chapter 130A of the General Statutes is amended by adding a new section to read:

"§ 130A-45.12. Personnel.

Employees under the supervision of the public health authority director are employees of the public health authority and shall be exempt from Chapter 126 of the General Statutes, unless otherwise provided in this Part."

SECTION 2. G.S. 126-5(a) reads as rewritten:

"§ 126-5. Employees subject to Chapter; exemptions.

- (a) The provisions of this Chapter shall apply to:
- (1) All State employees not herein exempt, and
 - (2) To all employees of the following local entities:
 - a. Area mental health, developmental disabilities, and substance abuse authorities.
 - b. Local social services departments.
 - c. ~~Local public health departments.~~ County health departments and district health departments.
 - d. Local emergency management agencies that receive federal grant-in-aid funds.An employee of a consolidated county human services agency created pursuant to G.S. 153A-77(b) is not considered an employee of an entity listed in this subdivision.
 - (3) County employees not included under subdivision (2) of this subsection as the several boards of county commissioners may from time to time determine."

SECTION 3. G.S. 130A-45.02(a) reads as rewritten:

"(a) A public health authority may be created ~~whenever a county board of commissioners finds and adopts a resolution finding upon joint resolution of the county board of commissioners and the local board of health~~ that it is in the interest of the public health and welfare to create a public health authority to provide public health services as required under G.S. 130A-34."

SECTION 4. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 9th day of May,
2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 12:44 p.m. this 18th day of May, 2001