

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE DRH50226-LD-33A (02/17)

Short Title: Limit Outside Work for DENR/Local Staff. (Public)

Sponsors: Representative Allen.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PREVENT POTENTIAL CONFLICTS OF INTEREST BY PERSONS
3 EMPLOYED BY THE STATE OR ACTING AS AGENTS OF THE STATE WITHIN
4 LOCAL HEALTH DEPARTMENTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 11 of Chapter 130A of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 130A-339.1. Employment limitations to avoid conflict of interest.**

9 (a) Any person employed by the State or a local health department, or any person under
10 contract with the State or a local health department, to act as an authorized agent of the
11 Department to enforce rules of the Commission or a local health department regarding
12 wastewater systems shall not evaluate, consult, or provide service maintenance for any
13 wastewater site or any wastewater system regulated by the Department under rules adopted by
14 the Commission or a local board of health unless such activity is performed in the course of
15 their employment by, or their contractual relationship with, the State or local health department.

16 (b) The limitations under subsection (a) of this section apply to evaluating, consulting,
17 and any other work activity performed as any of the following:

18 (1) A soil scientist licensed under Chapter 89F of the General Statutes.

19 (2) A water pollution control system operator certified under Article 3 of
20 Chapter 90A of the General Statutes.

21 (3) An on-site wastewater contractor or inspector certified under Article 5 of
22 Chapter 90A of the General Statutes.

23 (c) The limitations under subsection (a) of this section do not apply to authorized agents
24 engaged in such activities when employed by, or under contract with, a joint agency established
25 under G.S. 130A-343.1."

26 **SECTION 2.** This act is effective when it becomes law and applies to acts that
27 occur on or after that date.

