

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 992
Committee Substitute Favorable 6/1/22
Committee Substitute #2 Favorable 6/8/22

Short Title: OAH Staffing Flexibility.

(Public)

Sponsors:

Referred to:

May 19, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO GIVE THE CHIEF ADMINISTRATIVE LAW JUDGE GREATER
3 FLEXIBILITY IN OFFICE OF ADMINISTRATIVE HEARINGS STAFFING.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 7A-760 reads as rewritten:

6 "**§ 7A-760. Number and status of employees; staff assignments; ~~role of State Human~~**
7 **~~Resources Commission assignments.~~**

8 (a) The number of administrative law judges ~~and employees~~ of the Office of
9 Administrative Hearings shall be established by the General Assembly. Subject to the State
10 Budget Act and the North Carolina Human Resources Act and the limitations of appropriations
11 to the Office of Administrative Hearings and G.S. 7A-751, the Chief Administrative Law Judge
12 may do all of the following:

13 (1) Establish or abolish subordinate positions within the Office of Administrative
14 Hearings.

15 (2) Make appointments to those subordinate positions.

16 (3) Remove persons appointed to those subordinate positions.

17 (4) Transfer employees between subordinate positions.

18 (5) Change the duties, titles, and compensation of existing subordinate positions.

19 (a1) The Chief Administrative Law Judge and five employees of the Office of
20 Administrative Hearings as designated by the Chief Administrative Law Judge are exempt from
21 provisions of the North Carolina Human Resources Act as provided by G.S. 126-5(c1)(27). All
22 other employees of the Office of Administrative Hearings are subject to the North Carolina
23 Human Resources Act.

24"

25 SECTION 2. This act is effective when it becomes law.



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