

GENERAL ASSEMBLY OF NORTH CAROLINA  
1989 SESSION

CHAPTER 429  
HOUSE BILL 565

AN ACT TO REQUIRE TIMELY HEARINGS FOR CHILD DAY CARE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 110-94 reads as rewritten:

**"§ 110-94. Administrative Procedure Act.**

The provisions of General Statutes Chapter 150B known as the Administrative Procedure Act shall be applicable to the Child Day-Care Commission and to the rules it adopts. The Administrative Procedure Act shall also apply to child day care contested cases. The case hearing shall be scheduled to be held within 120 days of the date the petition for a hearing is received, pursuant to G.S. 150B-23(a), in any contested case resulting from administrative action taken by the Department to revoke a license, registration certificate, or Letter of Compliance or from administrative action taken in a situation in which child abuse or neglect in a day care facility or home has been substantiated. A request for continuance of a hearing shall be granted upon a showing of good cause by either party."

Sec. 2. This act shall become effective October 1, 1989, and applies to rules adopted and cases arising on or after that date.

In the General Assembly read three times and ratified this the 23rd day of June, 1989.