

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

SESSION LAW 2003-97
SENATE BILL 323

AN ACT TO PROTECT THE IDENTITY OF A COMPLAINING PARTY AGAINST A LICENSEE OR AN UNLICENSED GENERAL CONTRACTOR BY THE LICENSING BOARD FOR GENERAL CONTRACTORS AND TO CLARIFY WHEN THE BOARD MAY SEEK INJUNCTIVE RELIEF.

The General Assembly of North Carolina enacts:

SECTION 1. Article 1 of Chapter 87 of the General Statutes is amended by adding the following new section to read:

"§ 87-15.3. Identity of complaining party confidential.

Once a complaint has been filed with the Board against a licensee or an unlicensed general contractor, the Board may, in its discretion, keep the identity of a complaining party confidential and not a public record within the meaning of Chapter 132 of the General Statutes until a time no later than the receipt of the complaint by the full Board for a disciplinary hearing or injunctive action."

SECTION 2. G.S. 87-13.1 reads as rewritten:

"§ 87-13.1. Board may seek injunctive relief.

Whenever ~~it appears to~~ the Board determines that any person, firm or corporation has violated or is violating any of the provisions of this Article or ~~of the~~ rules and regulations of the Board promulgated under this Article, the Board may apply to the superior court for a restraining order and injunction to restrain the violation; and the superior courts have jurisdiction to grant the requested relief, irrespective of whether or not criminal prosecution has been instituted or administrative sanctions imposed by reason of the violation."

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 21st day of May, 2003.

s/ Beverly E. Perdue
President of the Senate

s/ Richard T. Morgan
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 5:08 p.m. this 30th day of May, 2003