

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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SENATE DRS35137-LT-78 (3/15)

Short Title: Code Officials Professionalism.

(Public)

Sponsors: Senator Hoyle.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A PROFESSIONAL DEVELOPMENT PROGRAM FOR CODE-ENFORCEMENT OFFICIALS, TO AUTHORIZE THE USE OF FUNDS FROM THE INSURANCE REGULATORY FUND FOR PROFESSIONAL DEVELOPMENT OF CODE-ENFORCEMENT OFFICIALS, AND TO APPROPRIATE FUNDS FROM THE INSURANCE REGULATORY FUND FOR THAT PURPOSE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 9C of Chapter 143 of the General Statutes is amended by adding a new section to read:

"§ 143-151.13A. Professional development program for officials.

(a) As used in this section, "official" means a qualified Code-enforcement official as that term is defined in G.S. 143-151.8.

(b) The Board may establish professional development requirements for officials as a condition of the renewal or reactivation of their certificates. The purposes of these professional development requirements are to assist officials in maintaining professional competence in their enforcement of the Code and to assure the health, safety, and welfare of the citizens of North Carolina. An official subject to this section shall present evidence to the Board at each certificate renewal after initial certification, that during the 12 months before the certificate expiration date, the official has completed the required number of credit hours in courses approved by the Board. Annual continuing education hour requirements shall be determined by the Board but shall not be more than six credit hours.

(c) The Board may require an individual who earns a certificate under programs established in G.S. 143-151.13 to complete professional development courses, not to exceed six hours in each technical area of certification, within one year after that individual is first employed by a city or county inspection department.

1 (d) As a condition of reactivating a standard or limited certificate, the Board may
2 require the completion of professional development courses within one year after
3 reemployment as an official as follows:

4 (1) An individual who has been on inactive status for more than two years
5 and who has not been continuously employed by a city or county
6 inspection department during the period of inactive status shall
7 complete professional development courses not to exceed 12 hours for
8 each technical area in which the individual is certified.

9 (2) An individual who has been on inactive status for more than two years
10 and who has been continuously employed by a city or county
11 inspection department during the period of inactive status shall
12 complete professional development courses not to exceed six hours for
13 each technical area in which the individual is certified.

14 (3) An individual who has been on inactive status for two years or less and
15 who has been continuously employed by a city or county inspection
16 department during the period of inactive status shall complete
17 professional development courses not to exceed four hours for each
18 technical area in which the individual is certified.

19 (e) The Board may, for good cause shown, grant extensions of time to officials to
20 comply with these requirements. An official who, after obtaining an extension under
21 this subsection, offers evidence satisfactory to the Board that the official has
22 satisfactorily completed the required professional development courses, is in
23 compliance with this section.

24 (f) The Board may adopt rules to give purpose and effect to the professional
25 development requirements, including rules that govern:

26 (1) The content and subject matter of professional development courses.

27 (2) The criteria, standards, and procedures for the approval of courses,
28 course sponsors, and course instructors.

29 (3) The methods of instruction.

30 (4) The computation of course credit.

31 (5) The ability to carry forward course credit from one year to another.

32 (6) The waiver of or variance from the professional development required
33 for hardship or other reasons.

34 (7) The procedures for compliance and sanctions for noncompliance."

35 **SECTION 2.** G.S. 58-6-25(d) is amended by adding a new subdivision to
36 read:

37 "(9) Money appropriated to the Department of Insurance for the
38 Code-enforcement officials professional development requirements
39 under G.S. 143-151.13A."

40 **SECTION 3.** There is appropriated from the Insurance Regulatory Fund
41 established in G.S. 58-6-25 to the Department of Insurance the sum of one hundred
42 thousand dollars (\$100,000) for the 2005-2006 fiscal year for the Code Officials
43 Qualification Board for the purpose of developing and implementing the Code officials
44 professional development program established in G.S. 143-151.13A.

1 **SECTION 4.** The Code Officials Qualification Board shall initiate
2 development of the Code officials professional development program established
3 pursuant to this act by June 1, 2005. The program shall be developed for
4 implementation effective October 1, 2005.

5 **SECTION 5.** Section 1 of this act becomes effective October 1, 2005, and
6 applies to certificates issued or renewed on or after that date. Section 3 of this act
7 becomes effective July 1, 2005, only if the Code Officials Qualification Board has
8 begun development of the Code officials professional development program by that
9 date. The remainder of this act is effective when it becomes law.