GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2007

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HOUSE BILL 584

Short Title:	ITS/Employee Background Investigations.	(Public)
Sponsors:	Representatives Tolson; Faison and Folwell.	
Referred to:	Judiciary III.	

March 13, 2007

1	A BILL TO BE ENTITLED
2	AN ACT MAKING EMPLOYEES AND PROSPECTIVE EMPLOYEES OF THE
3	OFFICE OF INFORMATION TECHNOLOGY SERVICES SUBJECT TO
4	BACKGROUND INVESTIGATIONS; EXEMPTING FROM THE PUBLIC
5	RECORDS LAWS THE CRIMINAL HISTORIES OF AGENCY SECURITY
6	LIAISONS AND PERSONNEL IN THE OFFICE OF STATE AUDITOR, AND
7	MAKING CONFORMING CHANGES.
8	The General Assembly of North Carolina enacts:
9	SECTION 1. G.S. 147-33.77 is amended by adding a new subsection to
10	read:
11	"(g) The State Chief Information Officer may require background investigations
12	of any employee or prospective employee, including a criminal history record check,
13	which may include a search of the State and National Repositories of Criminal Histories
14	based on the person's fingerprints. A criminal history record check shall be conducted
15	by the State Bureau of Investigation upon receiving fingerprints and other information
16	provided by the employee or prospective employee. If the employee or prospective
17	employee has been a resident of the State for less than five years, the background report
18	shall include a review of criminal information from both the State and National
19	Repositories of Criminal Histories. The criminal background report shall be provided to
20	the State Chief Information Officer and is not a public record under Chapter 132 of the
21	General Statutes."
22	SECTION 2. G.S. 147-33.113(a)(4) reads as rewritten:
23	"(4) Designating an agency liaison in the information technology area to
24	coordinate with the State Chief Information Officer. The liaison shall
25	be subject to a criminal background report from the State Repository
26	of Criminal Histories, which shall be provided by the State Bureau of
27	Investigation upon its receiving fingerprints from the liaison. If the
28	liaison has been a resident of this State for less than five years, the
29	background report shall include a review of criminal information from

1 both the State and National Repositories of Criminal Histories. T 2 criminal background report shall be provided to the State CI 3 Information Officer and the head of the agency. In addition, 4 personnel in the Office of State Auditor who are responsible 5 information technology security reviews pursuant 6 G.S. 147-64.6(c)(18) shall be subject to a criminal background rep 7 from the State Repository of Criminal Histories, which shall 8 provided by the State Bureau of Investigation upon receiv 9 fingerprints from the personnel designated by the State Auditor. 10 designated personnel who have been residents of this State for I 11 than five years, the background report shall include a review 12 criminal Histories. The criminal background reports shall be provide 13 Criminal Histories. The criminal background reports shall be provide 14 to the State Auditor. Criminal histories provided pursuant to the state State. 15 subdivision are not public records under Chapter 132 of the Gene 16 SECTION 3. Article 4 of Chapter 114 of the General Statutes is amended 18 adding a new section to read: "§ 114-19.20. Criminal record checks for the Office of Information Technolog	ground report shall be provided to the State Chief officer and the head of the agency. In addition, all the Office of State Auditor who are responsible for technology security reviews pursuant to c)(18) shall be subject to a criminal background report e Repository of Criminal Histories, which shall be the State Bureau of Investigation upon receiving om the personnel designated by the State Auditor. For
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