

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 1260

Short Title: Code Officials Cont. Ed.

(Public)

Sponsors: Representative Ives.

Referred to: State Government.

May 13, 1998

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE NORTH CAROLINA CODE OFFICIALS
QUALIFICATION BOARD TO REQUIRE CODE-ENFORCEMENT OFFICIALS
TO PARTICIPATE IN PROFESSIONAL DEVELOPMENT PROGRAMS.

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 code-enforcement officials.

(a) The Board may establish professional development requirements for code-enforcement officials as a condition of the renewal or reactivation of their certificates. Such professional development shall be oriented to assist inspectors in achieving and maintaining professional competence in their enforcement of the code and assuring the health, safety, and welfare of the citizens of North Carolina. Criteria adopted by the Board for a professional development program may include:

- (1) The content of professional development courses;
- (2) Accreditation of professional development course sponsors and programs;
- (3) Computation of credit hours;
- (4) Record keeping and other administrative procedures; and
- (5) Sanctions for noncompliance.

1 (b) The Board may require, as a condition of renewal of a certificate, that each
2 individual holding a standard or a limited certificate complete professional development
3 courses as prescribed by the Board. The professional development coursework
4 requirement shall not exceed 24 hours in any three-year period.

5 (c) The Board may require each individual who earns a standard certificate under
6 the prequalification program established pursuant to G.S. 143-151.13(d) to complete
7 professional development coursework, not to exceed 16 hours in each technical area of
8 certification, within one year of that individual becoming employed by a city or county
9 inspection department.

10 (d) As a condition of reactivating a standard or limited certificate, the Board may
11 require the completion of professional development coursework within one year of
12 reemployment as a code-enforcement official as follows:

13 (1) Individuals who have been on inactive status and who have been out of
14 the inspection field for more than two years shall complete professional
15 development coursework not to exceed 16 hours for each technical area
16 in which the individual is certified.

17 (2) Individuals who have been on inactive status for more than two years
18 but who have remained active in the inspection field shall complete
19 professional development coursework not to exceed 12 hours for each
20 technical area in which the individual is certified.

21 (3) Individuals who have been on inactive status for two years or less and
22 who have remained active in the inspection field to complete
23 professional development coursework not to exceed eight hours for each
24 technical area in which the individual is certified.

25 Section 2. G.S. 143-151.17(a) reads as rewritten:

26 "(a) The Board shall have the power to suspend, revoke or refuse to grant any
27 certificate issued under the provisions of this Article to any person who:

28 (1) Has been convicted of a felony against this State or the United States, or
29 convicted of a felony in another state that would also be a felony if it
30 had been committed in this State;

31 (2) Has obtained certification through fraud, deceit, or perjury;

32 (3) Has knowingly aided or abetted any person practicing contrary to the
33 provisions of this Article or the State Building Code;

34 (4) Has defrauded the public or attempted to do so;

35 (5) Has affixed his signature to a report of inspection or other instrument of
36 service if no inspection has been made by him or under his immediate
37 and responsible ~~direction; or, direction;~~

38 (6) Has been guilty of willful misconduct, gross negligence or gross
39 ~~incompetence; or~~

40 (7) Has failed to comply with the professional development requirements
41 established by the Board under this Article."

42 Section 3. G.S. 58-6-25(d) reads as rewritten:

1 "(d) Use of Proceeds. – The Insurance Regulatory Fund is created in the State
2 treasury, under the control of the Office of State Budget and Management. The proceeds
3 of the charge levied in this section and all fees collected under Articles 69 through 71 of
4 this Chapter and under Articles 9 and 9C of Chapter 143 of the General Statutes shall be
5 credited to the Fund. The Fund shall be placed in an interest-bearing account and any
6 interest or other income derived from the Fund shall be credited to the Fund. Moneys in
7 the Fund may be spent only pursuant to appropriation by the General Assembly and in
8 accordance with the line item budget enacted by the General Assembly. The Fund is
9 subject to the provisions of the Executive Budget Act, except that no unexpended surplus
10 of the Fund shall revert to the General Fund. All money credited to the Fund shall be used
11 to reimburse the General Fund for the following:

- 12 (1) Money appropriated to the Department of Insurance to pay its expenses
13 incurred in regulating the insurance industry and other industries in this
14 State.
- 15 (2) Money appropriated to State agencies to pay the expenses incurred in
16 regulating the insurance industry, in certifying statewide data processors
17 under Article 11A of Chapter 131E of the General Statutes, and in
18 purchasing reports of patient data from statewide data processors
19 certified under that Article.
- 20 (3) Money appropriated to the Department of Revenue to pay the expenses
21 incurred in collecting and administering the taxes on insurance
22 companies levied in Article 8B of Chapter 105 of the General Statutes.
- 23 (4) Money appropriated to the Department of Insurance for the code-
24 enforcement officials professional development requirements under
25 G.S. 143-151.13A."

26 Section 4. The North Carolina Code Officials Qualification Board may adopt
27 temporary rules to implement this act as a recent act of the General Assembly under G.S.
28 150B-21.1(a)(2).

29 Section 5. There is appropriated from the Department of Insurance Fund in
30 G.S. 58-6-25 to the Department of Insurance for the Code Officials Qualification Board
31 the sum of one hundred thousand dollars (\$100,000) for fiscal year 1998-99 for the
32 purpose of developing and implementing the code officials professional development
33 program under G.S. 143-151.13A. This appropriation is contingent upon a decision by
34 the Board to establish the program as prescribed in this act.

35 Section 6. Section 5 of this act becomes effective July 1, 1998. The remainder
36 of this act is effective when it becomes law.