

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 611

Short Title: Modify Training/Standards Commissions Power. (Public)

Sponsors: Representatives Carson Smith, Faircloth, and Greene (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 2, if favorable, Rules, Calendar, and Operations of the House

April 17, 2023

A BILL TO BE ENTITLED
AN ACT TO MODIFY VARIOUS POWERS OF THE CRIMINAL JUSTICE AND SHERIFFS'
EDUCATION AND TRAINING STANDARDS COMMISSIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 17C-6(a) reads as rewritten:

"(a) In addition to powers conferred upon the Commission elsewhere in this Article, the Commission shall have the following powers, which shall be enforceable through its rules and regulations, certification procedures, or the provisions of G.S. 17C-10:

...

(6) Establish minimum standards and levels of education and experience for all criminal justice ~~instructors~~instructors, including instructors with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, executive officers, and school directors~~directors~~, who participate in programs or courses of instruction that are required by this Article.

(7) Certify and recertify, suspend, revoke, or deny, pursuant to the standards that it has established for the purpose, criminal justice ~~instructors~~instructors, including instructors with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, executive officers, and school directors~~directors~~, who participate in programs or courses of instruction that are required by this Article or are required and approved by their respective criminal justice agency to include those certified under Chapter 17E or an educational institution accredited by the Commission.

(8) Investigate and make such evaluations as may be necessary to determine if criminal justice agencies, schools, and ~~individuals~~instructors, including instructors with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, executive officers, and school directors, are complying with the provisions of this Article.

...."

SECTION 2. G.S. 17E-4(a) reads as rewritten:

"(a) The Commission shall have the following powers, duties, and responsibilities, which are enforceable through its rules and regulations, certification procedures, or the provisions of G.S. 17E-8 and G.S. 17E-9:

(1) Promulgate rules and regulations for the administration of this Chapter, which rules may require (i) the submission by any agency of information with respect



1 to the employment, education, and training of its justice officers, and (ii) the
 2 submission by any training school of information with respect to its programs
 3 that are required by this ~~Chapter;~~Chapter.

4 ...

5 (3) Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it
 6 may establish for the purpose, persons as qualified under the provisions of this
 7 Chapter who may be employed at entry level as ~~officers;~~officers.

8 (4) Establish minimum standards for the certification of training schools and
 9 programs or courses of instruction that are required by this ~~Chapter;~~Chapter.

10 (5) Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it
 11 has established for the purpose, training schools and programs or courses of
 12 instruction that are required by this ~~Chapter;~~Chapter.

13 (6) Establish standards and levels of education or equivalent experience for
 14 ~~teachers—criminal justice school instructors, including instructors with~~
 15 probationary or limited teaching privileges, qualified assistants, in-service
 16 training coordinators, executive officers, and school directors, who participate
 17 in programs or courses of instruction that are required by this
 18 ~~Chapter;~~Chapter.

19 (7) Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it
 20 has established for the purpose, ~~teachers—criminal justice school instructors,~~
 21 including instructors with probationary or limited teaching privileges,
 22 qualified assistants, in-service training coordinators, executive officers, and
 23 school directors, who participate in programs or courses of instruction that are
 24 required by this ~~Chapter;~~Chapter or are required and approved by the
 25 instructor's agency, including programs or courses of instruction certified
 26 under Chapter 17C of the General Statutes or offered by an educational
 27 institution accredited by the Commission.

28 (8) Investigate and make such evaluations as may be necessary to determine if
 29 ~~agencies—agencies, criminal justice school instructors, including instructors~~
 30 with probationary or limited teaching privileges, qualified assistants,
 31 in-service training coordinators, executive officers, and school directors, are
 32 complying with the provision[s] of this ~~Chapter;~~Chapter.

33 (9) Adopt and amend bylaws, consistent with law, for its internal management
 34 and ~~control;~~control.

35 (10) Enter into contracts incident to the administration of its authority pursuant to
 36 this ~~Chapter;~~Chapter.

37 ...

38 The Commission may certify, and no additional certification shall be required from it, programs,
 39 courses and teachers certified by the North Carolina Criminal Justice Education and Training
 40 Standards Commission. Where the Commission determines that a program, course, instructor or
 41 teacher is required for an area which is unique to the office of sheriff, the Commission may certify
 42 such program, course, instructor, or teacher under such standards and procedures as it may
 43 establish."

44 **SECTION 3.** G.S. 17E-5 is amended by adding a new subsection to read:

45 "(c) Any papers, documents, or other records which become the property of the
 46 Commission that are placed in the criminal justice officer's personnel file maintained by the
 47 Commission shall be subject to the same disclosure requirements set forth in Chapters 126, 153A,
 48 and 160A of the General Statutes regarding the privacy of personnel records."

49 **SECTION 4.** This act is effective when it becomes law.