

NORTH CAROLINA GENERAL ASSEMBLY **AMENDMENT House Bill 171**

AMENDMENT NO. (to be filled in by Principal Clerk)

H171-ACN-25 [v.2]

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Amends Title [NO] Date,202
Fourth Edition	
Senator Br	itt i de
Schatol 191	
moves to amen	d the bill on page 2, lines $11 - 37$, by rewriting the lines to read:
	employee or a former employee of a State agency may bring a civil action for
	employee, or the former employee, resulting from violation of this section. An
-	s been denied employment because of a violation of this section, may bring a civi
	injunctive or declaratory relief and the recovery of reasonable attorneys' fees and
	on prevails in the civil action. The action shall be brought in the county in which
all or a substant	ial part of the acts or omissions giving rise to the action occurred. Any civil action
brought pursua	nt to this subsection shall be subject to all of the following:
<u>(1)</u>	Prior to the commencement of the civil action the person shall submit a written
	grievance to the State agency detailing the alleged violation of this section and
	the requested corrective action that the State agency is to take. The person
	shall not commence the civil action until the State agency has had as
	opportunity to respond to the grievance in accordance with subdivision (2) o
	this subsection.
<u>(2)</u>	The State agency shall respond to the grievance within 20 calendar days, in
	either of the following ways:
	a. Take the corrective action sought by the person. If the State agency
	takes this corrective action, the State agency shall not be liable in an civil action under this subsection.
	<u>b.</u> Refuse to take the requested corrective action and provide a written
	explanation why the State agency has not violated this section.
(3)	If the State agency fails to respond to a written grievance in accordance with
757	subdivision (2) of this subsection, the State agency shall not be entitled to any
	of the protections provided in that subdivision.
(g) Not	ning in this section shall be construed to do any of the following:
(1)	Conflict with, restrict, limit, or infringe upon speech protected by the Firs
	Amendment of the U.S. Constitution.
(2)	Conflict with or prohibit compliance with Title IX of the Education
	Amendments of 1972, as amended; the Americans with Disabilities Act, a
	amended; the Age Discrimination in Employment Act, as amended; Title V
	of the Civil Dights A at of 1064, an other applicable State on fodowal laws



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1		Alter the relationship between the State and an American Indian tribe which					
2	Cablo	shall continue to enjoy all rights, privileges, and immunities as an American					
3	24 BBF	Indian tribe with a recognized tribal governing body carrying out and					
4		exercising substantial governmental duties and powers similar to the State,					
5	ll	being recognized as eligible for the special programs and services provided					
6		by the United States to Indians because of their status as Indians.					
7	<u>(4)</u>	Apply to the North Carolina State Commission of Indian Affairs and Indian					
8		education services and positions.					
9	(5)	Prohibit the celebration of any holiday, observance, or remembrance.					
0	(h) The pro	ovisions of this section are severable. If any provision of this section or its					
1	application is held	invalid, that invalidity shall not affect other provisions or applications that can					
12		hout the invalid provision or application."";					
13							
14	and on page 2, line	43, by rewriting the line to read:					
15	1 0	ION 1.1.(c) This section becomes effective July 1, 2026, and applies to acts					
16		rring on or after that date. All State agencies shall develop forms, rules, and					
17	procedures to comply with the provisions of G.S. 126-14.7(f) as enacted by this act.						
8	1	ON 1.2.(a) Article 10 of Chapter 143 of the General Statutes is amended by";					
19							
20	and on page 4, line	s $22 - 35$, by rewriting the lines to read:					
21	1 0	ployee or a former employee of a State agency or unit of local government may					
22		for damages to the employee, or the former employee, resulting from violation					
23		this section. Any person, who has been denied employment because of a violation of this					
24		section, may bring a civil action seeking injunctive or declaratory relief and the recovery of					
25	reasonable attorneys' fees and costs if the person prevails in the civil action. The action shall be						
26		nty in which all or a substantial part of the acts or omissions giving rise to the					
27		ny civil action brought pursuant to this subsection shall be subject to all of the					
28	following:						
29		Prior to the commencement of the civil action the person shall submit a written					
30		grievance to the State agency or unit of local government detailing the alleged					
31		violation of this section and the requested corrective action that the State					
32		agency or unit of local government is to take. The person shall not commence					
33		the civil action until the State agency or unit of local government has had an					
34		opportunity to respond to the grievance in accordance with subdivision (2) of					
35		this subsection.					
36		The State agency or unit of local government shall respond to the grievance					
36 37		within 20 calendar days, in either of the following ways:					
38		a. Take the corrective action sought by the person. If the State agency or					
39		unit of local government takes this corrective action, the State agency					
40		or unit of local government shall not be liable in any civil action under					
11		this subsection.					

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1			<u>b.</u>	Refuse to take the requested c	orrective action and provide a written		
2				explanation why the State agen	cy or unit of local government has not		
3				violated this section.			
4		<u>(3)</u>	If the	State agency or unit of local go	vernment fails to respond to a written		
5			grieva	ance in accordance with subdivi	sion (2) of this subsection, the State		
6					shall not be entitled to any of the		
7				ctions provided in that subdivision			
8	<u>(1)</u>				ned in this section for violating its		
9	provisions	are in	<u>additio</u> 1	n to, and not in lieu of, liability u	nder any other applicable provision of		
10	law or cause of action in consequence of the violation.						
11	<u>(m)</u>				If any provision of this section or its		
12					ther provisions or applications that can		
13	<u>be given e</u>			<u>he invalid provision or applicatio</u>			
14	SECTION 1.2.(b) This section becomes effective July 1, 2026, and applies to acts						
15	or omissions occurring on or after that date. All State agencies and units of local government						
16	shall develop forms, rules, and procedures to comply with the provisions of G.S. 143-162.8(k)						
17	as enacted	by this	act.";				
18							
19	and on page 6, lines $1-2$, by rewriting the lines to read:						
20					d, this act becomes effective December		
21	1, 2025, and applies to acts or omissions occurring on or after that date.".						
	SIGNED						
	Amendment Sponsor						
	SIGNED						
		Con	nmittee	e Chair if Senate Committee Ame	ndment		
	ADOPTE	D		FAILED	TABLED		

The official copy of this document, with signatures and vote information, is available in the Senate Principal Clerk's Office