



2021-2022 General Assembly

HOUSE BILL 911: Regulatory Reform Act of 2022, Sec. 7: Sensitive Public Security Information Public Records Changes

Committee:
Introduced by:
Analysis of: Sec. 7 of S.L. 2022-75

Date: July 28, 2022
Prepared by: Kyle Evans
Staff Attorney

OVERVIEW: Section 7 of S.L. 2022-75 broadens the public records exemption for detailed plans and drawings of public buildings and infrastructure to include plans and drawings contained in information storage systems or geographic information system (GIS) databases, as well as design information about energy infrastructure.

This section became effective July 12, 2022.

CURRENT LAW & BILL ANALYSIS:

[G.S. 132-1](#) broadly defines "public records" as "all documents, papers, letters, maps, books, photographs, films, sound records, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions."

The North Carolina Public Records Law provides that since public records and information compiled by the agencies of North Carolina government are the property of the people, it is therefore the policy of the State that people may obtain copies of these records unless the records are subject to a statutory exception that prevents their public disclosure.

[G.S. 132-1.7](#) excludes detailed plans and drawings of public buildings and infrastructure facilities from the definition of "public records."

Section 7 of S.L. 2022-75 broadens the exclusion from public records disclosure for detailed plans and drawings of public buildings and infrastructure facilities to include detailed plans and drawings contained in information storage systems or geographic information system (GIS) databases. Furthermore, it excludes from disclosure as a public record the specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure (both physical and virtual) for energy utilities. This section also makes technical and formatting changes to the existing exemptions in the statute, as well as conforming changes to applicable statutes. This section expands the public records exclusion for "prison operations" to "prison or local confinement facilities operations."

EFFECTIVE DATE: This section became effective July 12, 2022.

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578