



HOUSE BILL 992: OAH Staffing Flexibility.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	June 8, 2022
Introduced by:	Rep. Stevens	Prepared by:	Susan Sitze and Hillary Woodard,
Analysis of:	PCS to Second Edition H992-CSCH-32		Staff Attorneys

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 992 would authorize the Chief Administrative Law Judge to create and abolish subordinate positions, within the Office of Administrative Hearings, and to appoint, remove, and transfer within those positions.*

CURRENT LAW: Under current law, the General Assembly determines the number of administrative law judges and the number of employees for the Office of Administrative Hearings. The Chief Administrative Law Judge then appoints individuals to serve as administrative law judges in accordance with the number of positions authorized by the General Assembly.

G.S. 7A-751 sets salaries for administrative law judges at ninety percent (90%) of the salary of the Chief Administrative Law Judge, with the salary of the Senior Administrative Law Judge set at ninety-five percent (95%) of the salary of the Chief Administrative Law Judge. The salary of the Chief Administrative Law Judge is set by the Current Operations Appropriations Act.

BILL ANALYSIS: The PCS would authorize the Chief Administrative Law Judge, subject to limitations of appropriations to the Office of Administrative Hearings, the State Budget Act, the North Carolina Human Resources Act, and statutory limitations regarding the salaries for administrative law judges, to do the following:

- Establish or abolish subordinate positions within the Office of Administrative Hearings.
- Appoint individuals to those subordinate positions.
- Remove individuals from those subordinate positions.
- Transfer employees between subordinate positions.
- Change the duties, titles, and compensation of existing subordinate positions.

EFFECTIVE DATE: This act would be effective when it becomes law.

Jeffrey Hudson
Director



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Legislative Analysis
Division
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