



# SENATE BILL 355: Government Transparency Act of 2021.

2021-2022 General Assembly

<b>Committee:</b>	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	<b>Date:</b>	April 27, 2021
<b>Introduced by:</b>	Sens. Sanderson, Rabon, Krawiec	<b>Prepared by:</b>	Robert Ryan
<b>Analysis of:</b>	PCS to First Edition S355-CSCE-17		Staff Attorney

**OVERVIEW:** *Senate Bill 355 would create a new requirement that government entities make a general description of personnel actions available to the public.*

### CURRENT LAW AND BILL ANALYSIS:

G.S. 126-24 provides that the personnel files of state employees are confidential and may not be released except in certain limited circumstances to certain individuals or entities.

However, G.S. 126-23 provides a list of data that each state agency must maintain and make available to the public for inspection upon request. This employee data includes:

- Name and age.
- Terms of any contract.
- Current position, title, and salary.
- *Date and general description* of the reasons for each promotion.
- *Date and type* of each dismissal, suspension, or demotion for disciplinary reasons.

**Section 1.** Senate Bill 355 would create a new requirement that the State provide a *general description* for each demotion, dismissal, transfer, suspension, separation, or other change in position for each state employee.

**Sections 2 – 7.5.** There are parallel privacy and disclosure laws in the laws governing local boards of education (G.S. 115C-320(a)), community colleges (G.S. 115D-28(a)), local management entity/managed care organizations (G.S. 122C-158(b)), local governments (153A-98(b)), water and sewer authorities (G.S. 160A-168(b)), and public hospitals G.S. 131E-257.2(b). Senate Bill 355 makes conforming changes to these parallel laws.

**EFFECTIVE DATE:** This act becomes effective December 1, 2021.

Jeffrey Hudson  
Director



Legislative Analysis  
Division  
919-733-2578