



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 355: Government Transparency Act of 2021.

2021-2022 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Rules and Operations of the Senate	Date:	May 5, 2021
Introduced by:	Sens. Sanderson, Rabon, Krawiec	Prepared by:	Robert Ryan
Analysis of:	Second Edition		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.

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