



HOUSE BILL 611: Modify Training/Standards Commissions Power.

2023-2024 General Assembly

Committee:	Senate Rules and Operations of the Senate	Date:	June 14, 2023
Introduced by:	Reps. Carson Smith, Faircloth, Greene	Prepared by:	Robert Ryan*
Analysis of:	Second Edition		Staff Attorney

OVERVIEW: *House Bill 611 would modify the powers of the North Carolina Criminal Justice Education and Training Standards Commission and the North Carolina Sheriffs' Education and Training Standards Commission and provide that certain expunged crimes committed by minors cannot prevent law enforcement certification.*

CURRENT LAW AND BILL ANALYSIS:

Sections 1-3

Chapter 17C of the North Carolina General Statutes establishes the North Carolina Criminal Justice Education and Training Standards Commission (Criminal Justice Commission) and Chapter 17E of the North Carolina General Statutes establishes the North Carolina Sheriffs' Education and Training Standards Commission (Sheriffs' Commission) to create rules and procedures related to the selection, training, and retention of criminal justice officers.

House Bill 611 would clarify that the powers granted to the Criminal Justice Commission and the Sheriffs' Commission to establish minimum education and experience levels, to establish standards related to certification, and to investigate compliance would apply to not only criminal justice instructors and school directors, but also to those with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, and executive officers.

House Bill 611 also modifies the Sheriffs' Commission statutes to be more consistent with the Criminal Justice Commission statutes by granting them the same power to recertify, suspend, revoke, or deny certifications and clarifying that any papers, documents, or other records that are property of the Sheriffs' Education Commission and placed in a criminal justice officer's personnel file are subject to the same disclosure requirements regarding the privacy of personnel records as those set forth in Chapter 126 (North Carolina Human Resource Act), 153A (Counties), and 160A (Cities) of the General Statutes.

Section 4

G.S. 17C-13 and G.S. 17E-12 provide that the Criminal Justice Commission and the Sheriff's Commission may consider an offense that has been expunged from a person's criminal history when considering whether to deny, suspend, or revoke a person's certification to be a law enforcement officer. G.S. 15A-145.4 and G.S. 15A-145.8A provide that a person may expunge certain offenses from their criminal history if the offense is a qualifying offense and the offense was committed before the person was 18 years of age.

House Bill 611 would modify G.S. 17C-13 and G.S. 17E-12 to provide that an offense that has been expunged under G.S. 15A-145.4 or G.S. 15A-145.8A cannot provide a basis for the Criminal Justice Commission or the Sheriff's Commission to deny, suspend, or revoke a person's certification to be a law

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

House Bill 611

Page 2

enforcement officer. The bill then makes conforming changes and provides direction to update rules implementing these changes to the General Statutes.

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

**Anna Parsons, Staff Attorney with the Legislative Analysis Division, substantially contributed to this summary.*