

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

SESSION LAW 2016-28
HOUSE BILL 970*

1 AN ACT AUTHORIZING CRIMINAL RECORD CHECKS OF ANY CURRENT OR
2 PROSPECTIVE EMPLOYEES, VOLUNTEERS, OR CONTRACTORS OF THE OFFICE
3 OF STATE CONTROLLER, AS RECOMMENDED BY THE JOINT LEGISLATIVE
4 OVERSIGHT COMMITTEE ON GENERAL GOVERNMENT.
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6 The General Assembly of North Carolina enacts:
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8 **SECTION 1.** G.S. 143B-426.39 reads as rewritten:

9 **"§ 143B-426.39. Powers and duties of the State Controller.**

10 The State Controller shall:
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12 ...
13 (18) Require a criminal history record check of any current or prospective employee,
14 volunteer, or contractor, which shall be conducted by the State Bureau of
15 Investigation as provided in G.S. 143B-966. The criminal history report shall be
16 provided to the State Controller and is not a public record under Chapter 132 of
17 the General Statutes."

18 **SECTION 2.** Subpart D of Part 4 of Article 13 of Chapter 143B of the General
19 Statutes is amended by adding a new section to read as follows:

20 **"§ 143B-966. Criminal record checks for the Office of State Controller.**

21 The Department of Public Safety may provide to the Office of State Controller from the State
22 and National Repositories of Criminal Histories the criminal history of any current or prospective
23 employee, volunteer, or contractor of the Office of State Controller. The Office of State Controller
24 shall provide to the Department of Public Safety, along with the request, the fingerprints of the
25 current or prospective employee, volunteer, or contractor, a form signed by the current or
26 prospective employee, volunteer, or contractor consenting to the criminal record check and use of
27 fingerprints and other identifying information required by the State and National Repositories, and
28 any additional information required by the Department of Public Safety. The fingerprints of the
29 current or prospective employee, volunteer, or contractor shall be forwarded to the State Bureau of
30 Investigation for a search of the State's criminal history record file, and the State Bureau of
31 Investigation shall forward a set of fingerprints to the Federal Bureau of Investigation for a
32 national criminal history record check. The Office of State Controller shall keep all information
33 obtained pursuant to this section confidential. The Department of Public Safety may charge a fee
34 to offset the cost incurred by it to conduct a criminal record check under this section. The fee shall
not exceed the actual cost of locating, editing, researching, and retrieving the information."



SECTION 3. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 16th day of June, 2016.

s/ Daniel J. Forest
President of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 4:03 p.m. this 22nd day of June, 2016