

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 891  
Committee Substitute Favorable 4/20/95

Short Title: Fair Use of Telecommunications.

(Public)

Sponsors:

Referred to:

April 12, 1995

A BILL TO BE ENTITLED  
AN ACT TO ALLOW STATE EMPLOYEES TO MAKE FAIR AND REASONABLE  
PERSONAL USE OF STATE TELECOMMUNICATIONS EQUIPMENT IF SUCH  
USE DOES NOT RESULT IN COST TO THE STATE AND DOES NOT REDUCE  
EMPLOYEE PERFORMANCE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is amended by adding a new  
Article to read:

**"ARTICLE 68.**

**"PERSONAL USE OF TELECOMMUNICATIONS EQUIPMENT.**

**"§ 143-650. Personal use of telecommunications equipment.**

(a) As used in this section:

(1) 'Employee' includes an officer;

(2) 'Head of each State department' in addition to its meaning under G.S.  
143A-2 and G.S. 143B-3 means:

a. In the case of The University of North Carolina, its President;

b. In the case of the Judicial Department, the Administrative Officer  
of the Courts;

1           c.     In the case of the Legislative Department, the Legislative  
2                 Administrative Officer;

3           d.     In the case of the State Board of Elections, its Executive  
4                 Secretary-Director;

5           e.     In the case of the Department of Community Colleges, its  
6                 President; and

7           f.     In the case of any occupational licensing board, that board.

8           (3)    'Personal use' does not include use in the private business of the  
9                 employee; and

10          (4)    'Telecommunications equipment' includes telephones, computers, and  
11                 computer networks.

12          (b)    The head of each State department shall by policy allow employees of that  
13                 department to make reasonable occasional private use of State telecommunications  
14                 equipment. The policy shall require that:

15               (1)    The direct measurable cost to the State is none or is negligible;

16               (2)    There is no negative impact on employee performance of State duties;

17               (3)    The policy is applied equitably among all employees of the department;

18               (4)    Employees shall reimburse the State if costs are incurred, provided that  
19                 costs may be incurred only in emergency situations;

20               (5)    The department shall annually review the policies to assure that they are  
21                 being followed; and

22               (6)    A copy of the policy shall be given in writing to each affected  
23                 employee.

24          (c)    Use of telecommunications equipment by employees in conformance with this  
25                 section is not unlawful."

26          Sec. 2. This act is effective upon ratification.