

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 891
Committee Substitute Favorable 4/20/95
Third Edition Engrossed 4/27/95

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; and

8 (3) 'Telecommunications equipment' includes telephones, computers, and
9 computer networks.

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

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

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

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

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

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

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

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

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