

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 354

Short Title: Heating & Plumbing Disciplinary Changes. (Public)

Sponsors: Representative Floyd.

*For a complete list of sponsors, refer to the North Carolina General Assembly web site.*

Referred to: Rules, Calendar, and Operations of the House

March 15, 2017

1 A BILL TO BE ENTITLED  
2 AN ACT TO MAKE CHANGES TO THE DISCIPLINARY GUIDELINES FOR THE STATE  
3 BOARD OF EXAMINERS OF PLUMBING, HEATING, AND FIRE SPRINKLER  
4 CONTRACTORS AND TO PROVIDE THAT COMPLAINTS AGAINST LICENSEES  
5 ARE NOT CONSIDERED PUBLIC RECORDS AFTER A PERIOD OF THIRTY-SIX  
6 MONTHS.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 87-23 reads as rewritten:

9 "§ 87-23. Revocation or suspension of license for cause.

10 (a) The Board shall have power to revoke or suspend the license of or order the  
11 reprimand or probation of any plumbing, heating, or fire sprinkler contractor, or any  
12 combination thereof, who is guilty of any fraud or deceit in obtaining or renewing a license, or  
13 who fails to comply with any provision or requirement of this Article, or the rules adopted by  
14 the Board, or for gross negligence, incompetency, or misconduct, in the practice of or in  
15 carrying on the business of a plumbing, heating, or fire sprinkler contractor, or any combination  
16 thereof, as defined in this Article. Any person may prefer charges of such fraud, deceit, gross  
17 negligence, incompetency, misconduct, or failure to comply with any provision or requirement  
18 of this Article, or the rules of the Board, against any plumbing, heating, or fire sprinkler  
19 contractor, or any combination thereof, who is licensed under the provisions of this Article. All  
20 of the charges shall be in writing and investigated by the Board. Any proceedings on the  
21 charges shall be carried out by the Board in accordance with the provisions of Chapter 150B of  
22 the General Statutes.

23 (b) The Board shall adopt and publish guidelines, consistent with the provisions of this  
24 Chapter, governing the suspension and revocation of licenses.

25 (c) The Board shall establish and maintain a system whereby detailed records are kept  
26 regarding complaints against each licensee. A record of complaint against a current licensee  
27 greater than 36 months shall not be made publicly available and is not considered a public  
28 record pursuant to Chapter 132 of the General Statutes."

29 SECTION 2. G.S. 87-24 reads as rewritten:

30 "§ 87-24. Reissuance of revoked licenses; replacing lost or destroyed license.

31 The Board may in its discretion reissue license to any person, firm or corporation whose  
32 license may have been revoked: Provided, four or more members of the Board vote in favor of  
33 such reissuance for reasons deemed sufficient by the Board. In using its discretion to reissue a  
34 license, the Board shall take into account the severity of the offense giving rise to the license  
35 revocation, as well as the time elapsed since the offense occurred. A new certificate of



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- 1 registration to replace any license which may be lost or destroyed may be issued subject to the  
2 rules and regulations of the Board."  
3           **SECTION 3.** This act is effective when it becomes law.