

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2025

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SENATE BILL 299

Short Title: Government Transparency Act of 2025. (Public)

Sponsors: Senators Sanderson and B. Newton (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 18, 2025

1 A BILL TO BE ENTITLED

2 AN ACT TO STRENGTHEN CONFIDENCE IN GOVERNMENT BY INCREASING
3 ACCESSIBILITY TO CERTAIN PUBLIC PERSONNEL PERFORMANCE AND
4 DISMISSAL RECORDS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** G.S. 126-23 reads as rewritten:

7 **"§ 126-23. Certain records to be kept by State agencies open to inspection.**

8 (a) Each department, agency, institution, commission and bureau of the State shall
9 maintain a record of each of its employees, showing the following information with respect to
10 each such employee:

11 ...

12 (10) Date Subject to subsection (g) of this section, date and general description of
13 the reasons for each promotion of the following with that department, agency,
14 institution, commission, or bureau.bureau:

15 a. Promotion.
16 b. Demotion.
17 c. Transfer.
18 d. Suspension.
19 e. Separation.
20 f. Dismissal.

21 (11) Date and type of For each dismissal, suspension, or demotion dismissal for
22 disciplinary reasons taken by the department, agency, institution, commission,
23 or bureau. If the disciplinary action was a dismissal, bureau, a copy of the
24 written notice of the final decision of the head of the department setting forth
25 the specific acts or omissions that are the basis of the dismissal.

26 (12) The office or station to which the employee is currently assigned.

27 ...

28 (f) Nothing in this section shall be construed to authorize the disclosure of any
29 confidential information protected by the Health Insurance Portability and Accountability Act of
30 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
31 327, or other applicable law.

32 (g) The following shall apply to the general descriptions as required by subdivision
33 (a)(10) of this section:

34 (1) No general description shall disclose information otherwise prohibited from
35 disclosure by an applicable law but shall be listed as "description of action
36 prohibited by applicable law."



(2) The general description for each promotion, demotion, transfer, suspension, separation, or dismissal shall become part of the record maintained under subsection (a) of this section upon the later of the expiration of the time period to file an appeal under any applicable administrative appeals process or a final decision being entered in that administrative appeals process."

SECTION 1.(b) G.S. 126-22(b) reads as rewritten:

"(b) For purposes of this Article the following definitions apply:

- (1) "Employee" means any current State employee, former State employee, or applicant for State ~~employment~~employment subject to this Article.
- (2) "Employer" means any State department, university, division, bureau, commission, council, or other agency subject to ~~Article 7 of this Chapter~~this Article. The term "university" shall include all of the following, as defined in G.S. 116-2:
 - a. The Board.
 - b. The Board of Trustees.
 - c. Chancellor.
 - d. Constituent institutions.
 - e. The President.

SECTION 2. G.S. 115C-320 reads as rewritten:

"§ 115C-320. Certain records open to inspection.

(a) Each local board of education shall maintain a record of each of its employees, showing the following information with respect to each employee:

...

(10) Date Subject to subsection (e) of this section, date and general description of the reasons for each promotion of the following with that local board of education education:

- a. Promotion.
- b. Demotion.
- c. Transfer.
- d. Suspension.
- e. Separation.
- f. Dismissal.

(11) Date and type of For each dismissal, suspension, or demotion dismissal for disciplinary reasons taken by the local board of education. If the disciplinary action was a dismissal, education, a copy of the written notice of the final decision of the local board education setting forth the specific acts or omissions that are the basis of the dismissal.

(12) The office or station to which the employee is currently assigned.

(d) Nothing in this section shall be construed to authorize the disclosure of any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 327, or other applicable law.

(e) The following shall apply to the general descriptions as required by subdivision (a)(10) of this section:

(1) No general description shall disclose information otherwise prohibited from disclosure by an applicable law but shall be listed as "description of action prohibited by applicable law."

(2) The general description for each promotion, demotion, transfer, suspension, separation, or dismissal shall become part of the record maintained under

f. Dismissal.

(11) Date and type of For each dismissal, suspension, or demotion dismissal for disciplinary reasons taken by the area authority. If the disciplinary action was a dismissal, authority, a copy of the written notice of the final decision of the area authority setting forth the specific acts or omissions that are the basis of the dismissal.

(12) The office or station to which the employee is currently assigned.

(i) Nothing in this section shall be construed to authorize the disclosure of any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 327, or other applicable law.

(j) The following shall apply to the general descriptions as required by subdivision (b)(10) of this section:

(1) No general description shall disclose information otherwise prohibited from disclosure by an applicable law but shall be listed as "description of action prohibited by applicable law."

(2) The general description for each promotion, demotion, transfer, suspension, separation, or dismissal shall become part of the record maintained under subsection (b) of this section upon the later of the expiration of the time period to file an appeal under any applicable administrative appeals process or a final decision being entered in that administrative appeals process."

SECTION 5. G.S. 130A-45.9 reads as rewritten:

"§ 130A-45.9. Confidentiality of personnel information.

(b) The following information with respect to each employee of a public health authority is a matter of public record:

(1) ~~name~~; Name.

(2) ~~age~~; Age.

(3) date Date of original employment or appointment; appointment.

(4) beginning Beginning and ending dates, dates.

(5) ~~position title, Current position and title.~~

(6) position descriptions, Position description.

(7) Current salary and total compensation of current and former positions; positions. For the purposes of this subdivision, the term "total compensation" includes pay, benefits, incentives, bonuses, and deferred and all other forms of compensation paid by the employing entity.

(8) the the terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the authority has the written contract or a record of the oral contract in its possession, possession.

(9) and date Date and type of the most recent each promotion, demotion, transfer, suspension, separation, or other change in position classification.

(10) Subject to subsection (c) of this section, to whom and the date of the

(10) Subject to subsection (e) of this section, date and general description of the reasons for each of the following with that public health authority:

a. Promotion.

b. Demotion.

c. Transfer.
1 S.

d. Suspension.

e. **Separation.**
f. **Division.**

f. Dismissal.

1 (11) For each dismissal for disciplinary reasons taken by the public health
2 authority, a copy of the written notice of the final decision of the public health
3 authority setting forth the specific acts or omissions that are the basis of the
4 dismissal.

5 (12) The office or station to which the employee is currently assigned.

6 (13) In addition, the following information with respect to each licensed medical
7 provider employed by or having privileges to practice in a public health
8 facility shall be a matter of public record: educational history and
9 qualifications, date and jurisdiction or original and current licensure; and
10 information relating to medical board certifications or other qualifications of
11 medical specialists. ~~For the purposes of this subsection, the term "total~~
12 ~~compensation" includes pay, benefits, incentives, bonuses, and deferred and~~
13 ~~all other forms of compensation paid by the employing entity.~~

14 ...

15 (d) Nothing in this section shall be construed to authorize the disclosure of any
16 confidential information protected by the Health Insurance Portability and Accountability Act of
17 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
18 327, or other applicable law.

19 (e) The following shall apply to the general descriptions as required by subdivision
20 (b)(10) of this section:

21 (1) No general description shall disclose information otherwise prohibited from
22 disclosure by an applicable law but shall be listed as "description of action
23 prohibited by applicable law."

24 (2) The general description for each promotion, demotion, transfer, suspension,
25 separation, or dismissal shall become part of the record maintained under
26 subsection (b) of this section upon the later of the expiration of the time period
27 to file an appeal under any applicable administrative appeals process or a final
28 decision being entered in that administrative appeals process."

29 **SECTION 6.** G.S. 131E-257.2 reads as rewritten:

30 **"§ 131E-257.2. Privacy of employee personnel records.**

31 ...

32 (b) The following information with respect to each public hospital employee is a matter
33 of public record:

34 (1) Name.

35 (2) Age.

36 (3) Date of original employment.

37 (4) Current position title.

38 (5) Date of the most recent and type for each promotion, demotion, transfer,
39 suspension, separation or other change in position classification.

40 (6) The office to which the employee is currently assigned.

41 (7) Subject to subsection (j) of this section, date and general description of the
42 reasons for each of the following with that public hospital:

43 a. Promotion.

44 b. Demotion.

45 c. Transfer.

46 d. Suspension.

47 e. Separation.

48 f. Dismissal.

49 (8) For each dismissal for disciplinary reasons taken by the public hospital, a copy
50 of the written notice of the final decision of the public hospital setting forth
51 the specific acts or omissions that are the basis of the dismissal.

(9) In addition, the following information with respect to For each licensed medical provider employed by or having privileges to practice in a public hospital shall be a matter of public record: hospital, the following information: educational history and qualifications, date and jurisdiction or original and current licensure; and information relating to medical board certifications or other qualifications of medical specialists.

...
(i) Nothing in this section shall be construed to authorize the disclosure of any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 327, or other applicable law.

(j) The following shall apply to the general descriptions as required by subdivision (b)(7) of this section:

(1) No general description shall disclose information otherwise prohibited from disclosure by an applicable law but shall be listed as "description of action prohibited by applicable law."

(2) The general description for each promotion, demotion, transfer, suspension, separation, or dismissal shall become part of the record maintained under subsection (b) of this section upon the later of the expiration of the time period to file an appeal under any applicable administrative appeals process or a final decision being entered in that administrative appeals process."

SECTION 7.(a) G.S. 153A-98 reads as rewritten:

"§ 153A-98. Privacy of employee personnel records.

...
(a1) This section shall apply to all employees subject to G.S. 153A-103.
(b) The following information with respect to each county employee is a matter of public record:

...
(10) ~~Date~~ Subject to subsection (h) of this section, date and general description of the reasons for each ~~promotion~~ of the following with that ~~county~~ county:

- a. Promotion.
- b. Demotion.
- c. Transfer.
- d. Suspension.
- e. Separation.
- f. Dismissal.

(11) Date and type of For each dismissal, suspension, or demotion dismissal for disciplinary reasons taken by the county. If the disciplinary action was a dismissal, county, a copy of the written notice of the final decision of the county setting forth the specific acts or omissions that are the basis of the dismissal.

(12) The office to which the employee is currently assigned.

...
(g) Nothing in this section shall be construed to authorize the disclosure of any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 327, or other applicable law.

(h) The following shall apply to the general descriptions as required by subdivision (b)(10) of this section:

1 (1) No general description shall disclose information otherwise prohibited from
2 disclosure by an applicable law but shall be listed as "description of action
3 prohibited by applicable law."

4 (2) The general description for each promotion, demotion, transfer, suspension,
5 separation, or dismissal shall become part of the record maintained under
6 subsection (b) of this section upon the later of the expiration of the time period
7 to file an appeal under any applicable administrative appeals process or a final
8 decision being entered in that administrative appeals process."

9 **SECTION 7.(b)** G.S. 153A-99(b) reads as rewritten:

10 "(b) Definitions. For the purposes of this section:

11 (1) "County employee" or "employee" means any person employed by a county
12 or any department or program thereof that is supported, in whole or in part, by
13 county funds; funds but shall not include employees subject to G.S. 153A-103;

14 (2) "On duty" means that time period when an employee is engaged in the duties
15 of his or her employment; and

16 (3) "Workplace" means any place where an employee engages in his or her job
17 duties."

18 **SECTION 8.** G.S. 160A-168 reads as rewritten:

19 **"§ 160A-168. Privacy of employee personnel records.**

20 ...
21 (b) The following information with respect to each city employee is a matter of public
22 record:

23 ...
24 (10) Date-Subject to subsection (h) of this section, date and general description of
25 the reasons for each promotion-of the following with that
26 municipality.municipality:

27 a. Promotion.
28 b. Demotion.
29 c. Transfer.
30 d. Suspension.
31 e. Separation.
32 f. Dismissal.

33 (11) Date and type of For each dismissal, suspension, or demotion
34 dismissal for
35 disciplinary reasons taken by the municipality. If the disciplinary action was
36 a dismissal, municipality, a copy of the written notice of the final decision of
37 the municipality setting forth the specific acts or omissions that are the basis
38 of the dismissal.

39 (12) The office to which the employee is currently assigned.

40 ...
41 (g) Nothing in this section shall be construed to authorize the disclosure of any
42 confidential information protected by the Health Insurance Portability and Accountability Act of
43 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
44 327, or other applicable law.

45 (h) The following shall apply to the general descriptions as required by subdivision
(b)(10) of this section:

46 (1) No general description shall disclose information otherwise prohibited from
47 disclosure by an applicable law but shall be listed as "description of action
48 prohibited by applicable law."

49 (2) The general description for each promotion, demotion, transfer, suspension,
50 separation, or dismissal shall become part of the record maintained under
51 subsection (b) of this section upon the later of the expiration of the time period

to file an appeal under any applicable administrative appeals process or a final decision being entered in that administrative appeals process."

SECTION 9. G.S. 162A-6.1 reads as rewritten:

"§ 162A-6.1. Privacy of employee personnel records.

(b) The following information with respect to each authority employee is a matter of public record:

(10) Date Subject to subsection (j) of this section, date and general description of the reasons for each promotion of the following with that authority: authority:

- a. Promotion.
- b. Demotion.
- c. Transfer.
- d. Suspension.
- e. Separation.
- f. Dismissal.

(11) Date and type of For each dismissal, suspension, or demotion dismissal for disciplinary reasons taken by the authority. If the disciplinary action was a dismissal, authority, a copy of the written notice of the final decision of the authority setting forth the specific acts or omissions that are the basis of the dismissal

(12) The office to which the employee is currently assigned.

(i) Nothing in this section shall be construed to authorize the disclosure of any confidential information protected by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 327, or other applicable law.

(j) The following shall apply to the general descriptions as required by subdivision (b)(10) of this section:

(1) No general description shall disclose information otherwise prohibited from disclosure by an applicable law but shall be listed as "description of action prohibited by applicable law."

(2) The general description for each promotion, demotion, transfer, suspension, separation, or dismissal shall become part of the record maintained under subsection (b) of this section upon the later of the expiration of the time period to file an appeal under any applicable administrative appeals process or a final decision being entered in that administrative appeals process."

SECTION 10.(a) No later than November 30, 2025, each employer affected by this act shall adopt personnel policies to effectuate this act to permit all of its employees to challenge the wording of the general description of any promotion, demotion, transfer, suspension, separation, or dismissal occurring on or after December 1, 2025.

SECTION 10.(b) This section is effective when it becomes law.

SECTION 11. Except as otherwise provided, this act becomes effective December 1, 2025, and applies to promotions, demotions, transfers, suspensions, separations, and dismissals occurring on or after that date.