

March 27, 2007

**S 1546. CLARIFY PUBLIC ACCESS TO PERSONNEL RECORDS.** Filed 3/27/07. TO CLARIFY THE PUBLIC'S ACCESS TO PUBLIC EMPLOYEE PERSONNEL RECORDS.

Amends the statutory provisions governing the privacy of personnel records of employees of local school administrative units (GS 115C-320), community colleges (GS 115D-28), area authorities (GS 122C-158), state employees (GS 126-23), public health departments (GS 130A-45.9), public hospitals (GS 131E-257.2), counties (GS 153A-98), municipalities (GS 160A-168), and water and sewer authorities (GS 162A-6.1) to provide that the public has a right of access to any contract an employee is employed under, whether written or oral, to the extent that the employing agency has the contract or a record of the oral contract in its possession. Clarifies that *salary*, which is a public record, includes pay, benefits, incentives, bonuses, and deferred and other forms of compensation.

**Intro. by Hoyle.**

GS 115C, 115D, 122C, 126, 130A, 131E, 153A, 160A, 162A

May 15, 2007

**S 1546. CLARIFY PUBLIC ACCESS TO PERSONNEL RECORDS.** Filed 3/27/07. Senate amendment makes the following changes to 1st edition. Deletes the phrase *compensation* each time it appears in the bill and substitutes the phrase *compensation paid by the employing entity or paid with the approval of the employing entity*. Amends GS 126-22 by deleting: (1) the definition of the term *personnel file* and substituting definitions of the terms *employee*, *employer*, *personnel file*, and *record*. *Employee* is defined to include any current state employee, former state employee, or applicant for state employment. The new definition of *personnel file* is expanded to include information gathered by the Retirement Systems Division of the Office of the State Treasurer and by the Office of State Personnel, as well as by the individual employing state agency, and to explicitly include home address, Social Security number, medical history, personal financial data, marital status, dependents and beneficiaries, in addition to information related to the employee's job performance. In subsection (c), exempts personnel files maintained by the Retirement Systems Division from the provision for public inspection of the personnel files of former state employees separated from service for 10 years or more.

July 25, 2007

**S 1546. CLARIFY PUBLIC ACCESS TO PERSONNEL RECORDS.** Filed 3/27/07. House committee substitute makes the following changes to 2nd edition. Modifies GS 115C-320, GS 115D-28, GS 122C-158(b), GS 126-22, GS 126-23, GS 130A-45.9(b), GS 153A-98(b), GS 160A-168(b), and GS 162A-6.1(b) to remove from the definition of *salary* compensation that is paid with the approval of the employing entity. Deletes the proposed amendments to GS 131E-257.2(b) concerning the privacy of personnel records of employees of public hospitals. Makes technical section renumbering changes.

August 2, 2007

**S 1546. CLARIFY PUBLIC ACCESS TO PERSONNEL RECORDS.** Filed 3/27/07. Conference report recommends the following changes to 3rd edition to reconcile matters in controversy. Amends GS 131E-257.2 as follows. Adds employment contracts to those items that make up an employee's personnel file. Provides that the base salary, bonus compensation, plan-based incentive compensation, and dollar value of all other compensation for the last completed fiscal year, beginning with the fiscal year ending in 2008, of a public hospital with respect to each covered officer and the five key employees with the highest annual compensation is a matter of public record. Defines *covered officer*, *executive officer*, and *key employee*. Amends GS 131E-97.3 to provide that competitive health care information, which means information relating to competitive health care activities by or on behalf of hospitals and public hospitals, must be confidential. Provides that competitive health care includes contracts entered into to purchase a medical practice. Conforms the title.

September 4, 2007

**SL 2007-508 (S 1546). CLARIFY PUBLIC ACCESS TO PERSONNEL RECORDS. AN ACT TO CLARIFY THE PUBLIC'S ACCESS TO PUBLIC EMPLOYEE PERSONNEL RECORDS AND TO MAKE CHANGES TO THE LAW PERTAINING TO CONFIDENTIALITY OF COMPETITIVE HEALTH CARE INFORMATION.** Summarized in *Daily Bulletin* 3/27/07, 5/15/07, 7/25/07, and 8/2/07. Enacted August 30, 2007. Effective August 30, 2007.