

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

H.B. 354
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH30147-MQ-45 (02/28)

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

Sponsors: Representative Floyd.

Referred to:

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



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.