

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS45283-ML-25

Short Title: Require Elimination of Vacant Positions. (Public)

Sponsors: Senators Burgin and Krawiec (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE STATE AGENCIES TO ELIMINATE ALL POSITIONS WITHIN
3 THE AGENCY THAT HAVE BEEN VACANT FOR AT LEAST TWELVE MONTHS.
4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 6 of Chapter 143C of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 143C-6-6.1. Elimination of vacant positions.**

8 (a) Prohibition. – Notwithstanding any provision of law to the contrary, State agencies
9 may only eliminate vacant positions, and use the resulting funds in accordance with (i) subsection
10 (b) of this section or (ii) the Current Operations Appropriations Act.

11 (b) Elimination. – Beginning October 1, 2021, and occurring annually thereafter, each
12 State agency, in conjunction with the Office of State Budget and Management, shall eliminate
13 all positions within the agency that have been vacant for at least 12 months. Half of the total
14 amount of funds resulting from each elimination required under this section shall remain
15 unexpended until appropriated by the General Assembly. The remaining funds may be used in
16 accordance with applicable State law by the State agency from which the positions were
17 eliminated.

18 (c) Report. – No later than 15 days from the date positions are eliminated under
19 subsection (a) of this section, the Office of State Budget and Management shall submit a report
20 to the Joint Legislative Commission on Governmental Operations and the Fiscal Research
21 Division detailing the positions eliminated. The information shall be grouped by agency and fund
22 code, and shall specify the position number, title, salary, and funding source for each position
23 eliminated."

24 SECTION 2. This act is effective when it becomes law.

