

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 547  
Apr 13, 2021  
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40301-SA-11

Short Title: Use Law Enf. Decert Index/Clarify APA. (Public)

Sponsors: Representative Szoka.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A REQUIREMENT FOR THE NORTH CAROLINA CRIMINAL  
3 JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION AND THE  
4 NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING STANDARDS  
5 COMMISSION TO UTILIZE THE NATIONAL DECERTIFICATION INDEX  
6 MAINTAINED BY THE INTERNATIONAL ASSOCIATION OF DIRECTORS OF LAW  
7 ENFORCEMENT STANDARDS AND TRAINING IN THE CERTIFICATION PROCESS  
8 FOR CERTIFIED PERSONNEL AND TO CLARIFY THE ADMINISTRATIVE  
9 PROCEDURE APPLICABLE TO THOSE COMMISSIONS.

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S. 17C-6(a) reads as rewritten:

12 "(a) In addition to powers conferred upon the Commission elsewhere in this Article, the  
13 Commission shall have the following powers, which shall be enforceable through its rules and  
14 regulations, certification procedures, or the provisions of G.S. 17C-10:

15 ...

16 (21) Search the National Decertification Index (NDI) maintained by the  
17 International Association of Directors of Law Enforcement Standards and  
18 Training (IADLEST) using the name of every applicant for certification or  
19 applicant for lateral transfer, and any other personal identifying information  
20 necessary to complete the search, and shall utilize any record of conviction of  
21 a criminal offense received as a result of the search during the application and  
22 lateral transfer process to determine if the applicant has any record that would  
23 disqualify the applicant for certification."

24 **SECTION 2.** G.S. 17E-4(a) reads as rewritten:

25 "(a) The Commission shall have the following powers, duties, and responsibilities, which  
26 are enforceable through its rules and regulations, certification procedures, or the provisions of  
27 G.S. 17E-8 and G.S. 17E-9:

28 ...

29 (17) Search the National Decertification Index (NDI) maintained by the  
30 International Association of Directors of Law Enforcement Standards and  
31 Training (IADLEST) using the name of every applicant for certification or  
32 applicant for lateral transfer, and any other personal identifying information  
33 necessary to complete the search, and shall utilize any record of conviction of  
34 a criminal offense received as a result of the search during the application and  
35 lateral transfer process to determine if the applicant has any record that would  
36 disqualify the applicant for certification.



1 ...."

2           **SECTION 3.** G.S. 150B-38 is amended by adding a new subsection to read:

3           "(a1) The provisions of this Article do not apply to the North Carolina Criminal Justice  
4 Education and Training Standards Commission and the North Carolina Sheriffs' Education and  
5 Training Standards Commission."

6           **SECTION 4.** Sections 1 and 2 of this act become effective October 1, 2021, and  
7 apply to applications for certification submitted on or after that date. Section 3 of this act becomes  
8 effective October 1, 2021, and applies to any contested case arising on or after that date. The  
9 remainder of this act is effective when it becomes law.