

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 992
PROPOSED COMMITTEE SUBSTITUTE H992-PCS40786-CHa-31

Short Title: OAH Staffing Flexibility.

(Public)

Sponsors:

Referred to:

May 19, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO GIVE THE CHIEF ADMINISTRATIVE LAW JUDGE GREATER
3 FLEXIBILITY IN OFFICE OF ADMINISTRATIVE HEARINGS STAFFING.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 7A-760, as amended by S.L. 2021-180, reads as rewritten:
6 "**§ 7A-760. Number and status of employees; staff assignments; ~~role of State Human~~**
7 **~~Resources Commission assignments.~~**

8 (a) The number of administrative law judges ~~and employees~~ of the Office of
9 Administrative Hearings shall be established by the General Assembly. The Chief Administrative
10 Law Judge may do all of the following:

- 11 (1) Establish subordinate positions within the Office of Administrative Hearings.
12 (2) Make appointments to those subordinate positions.
13 (3) Remove persons appointed to those subordinate positions.
14 (4) Set salaries, within the limitations of appropriations to the Office of
15 Administrative Hearings and subject to the State Budget Act and North
16 Carolina Human Resources Act.

17 (a1) The Chief Administrative Law Judge and five employees of the Office of
18 Administrative Hearings as designated by the Chief Administrative Law Judge are exempt from
19 provisions of the North Carolina Human Resources Act as provided by G.S. 126-5(c1)(27). All
20 other employees of the Office of Administrative Hearings are subject to the North Carolina
21 Human Resources Act.

22"

23 **SECTION 2.** This act is effective when it becomes law.



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