A BILL TO BE ENTITLED
AN ACT TO MODIFY VARIOUS POWERS OF THE CRIMINAL JUSTICE AND SHERIFFS’
EDUCATION AND TRAINING STANDARDS COMMISSIONS AND TO PROVIDE
THAT CERTAIN EXPUNGED CRIMES COMMITTED BY MINORS CANNOT
PREVENT LAW ENFORCEMENT CERTIFICATION.

The General Assembly of North Carolina enacts:

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

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

..."

(6) Establish minimum standards and levels of education and experience for all
criminal justice instructors, including instructors with probationary
or limited teaching privileges, qualified assistants, in-service training
coordinators, executive officers, and school directors, who
participate in programs or courses of instruction that are required by this
Article.

(7) Certify and recertify, suspend, revoke, or deny, pursuant to the standards that
it has established for the purpose, criminal justice instructors, including instructors with probationary or limited teaching privileges,
qualified assistants, in-service training coordinators, executive officers, and
school directors, who participate in programs or courses of
instruction that are required by this Article or are required and approved by
their respective criminal justice agency to include those certified under
Chapter 17E or an educational institution accredited by the Commission.

(8) Investigate and make such evaluations as may be necessary to determine if
criminal justice agencies, schools, and individuals—instructors, including
instructors with probationary or limited teaching privileges, qualified
assistants, in-service training coordinators, executive officers, and school
directors—are complying with the provisions of this Article.

..."

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

"(a) The Commission shall have the following powers, duties, and responsibilities, which
are enforceable through its rules and regulations, certification procedures, or the provisions of
G.S. 17E-8 and G.S. 17E-9:
Promulgate rules and regulations for the administration of this Chapter, which rules may require (i) the submission by any agency of information with respect to the employment, education, and training of its justice officers, and (ii) the submission by any training school of information with respect to its programs that are required by this Chapter.

…

Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it may establish for the purpose, persons as qualified under the provisions of this Chapter who may be employed at entry level as justice officers.

Establish minimum standards for the certification of training schools and programs or courses of instruction that are required by this Chapter.

Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it has established for the purpose, training schools and programs or courses of instruction that are required by this Chapter.

Establish standards and levels of education or equivalent experience for teachers—criminal justice school instructors, including instructors with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, executive officers, and school directors, who participate in programs or courses of instruction that are required by this Chapter.

Certify, recertify, suspend, revoke, or deny, pursuant to the standards that it has established for the purpose, teachers—criminal justice school instructors, including instructors with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, executive officers, and school directors, who participate in programs or courses of instruction that are required by this Chapter or are required and approved by the instructor's agency, including programs or courses of instruction certified under Chapter 17C of the General Statutes or offered by an educational institution accredited by the Commission.

Investigate and make such evaluations as may be necessary to determine if agencies—agencies, criminal justice school instructors, including instructors with probationary or limited teaching privileges, qualified assistants, in-service training coordinators, executive officers, and school directors, are complying with the provision[s] of this Chapter.

Adopt and amend bylaws, consistent with law, for its internal management and control.

Enter into contracts incident to the administration of its authority pursuant to this Chapter.
"§ 17C-13. Pardons; expunctions.

(a) When a person presents competent evidence that he has been granted an unconditional pardon for a crime in this State, any other state, or the United States, the Commission may not deny, suspend, or revoke that person's certification based solely on the commission of that crime or for an alleged lack of good moral character due to the commission of that crime.

(b) Notwithstanding G.S. 15A-145.4 or G.S. 15A-145.5, the Commission may gain access to a person's felony conviction records, including those maintained by the Administrative Office of the Courts in its confidential files containing the names of persons granted expunctions. The Commission may deny, suspend, or revoke a person's certification based solely on that person's felony conviction, whether or not that conviction was expunged, unless the conviction was expunged pursuant to G.S. 15A-145.4 or G.S. 15A-145.8A."

SECTION 4.(b) G.S. 17E-12 reads as rewritten:

"§ 17E-12. Pardons; expunctions.

(a) When a person presents competent evidence that the person has been granted an unconditional pardon of innocence for a crime in this State, any other state, or the United States, the Commission may not deny, suspend, or revoke that person's certification based solely on the commission of that crime or for an alleged lack of good moral character due to the commission of that crime.

(b) Notwithstanding G.S. 15A-145.4 or G.S. 15A-145.5, the Commission may gain access to a person's felony conviction records, including those maintained by the Administrative Office of the Courts in its confidential files containing the names of persons granted expunctions. The Commission may deny, suspend, or revoke a person's certification based solely on that person's felony conviction, whether or not that conviction was expunged, unless the conviction was expunged pursuant to G.S. 15A-145.4 or G.S. 15A-145.8A."
of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant
to this section shall be substantively identical to the provisions of subsection (c) of this section.

SECTION 6.(e) Effective Date. – This section is effective when it becomes law.

Subsection (c) of this section expires on the date that the rule adopted pursuant to subsection (d)
of this section becomes effective.

SECTION 7. Except as otherwise provided, this act is effective when it becomes law.