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TO: Joint Legislative Administrative Procedure Oversight Committee
Joint Legislative Oversight Committee on Justice & Public Safety

FROM: Jeffrey P. Gray 
Legal Counsel
Alarm Systems Licensing Board

RE: Report on Administrative Rules Constituting a Crime; Session Law 2018-69

DATE: November 29, 2018

In response to S.L. 2018-69 (H.B. 379) the North Carolina Alarm Systems Licensing Board hereby submits the below.

N.C. Gen. Stat. § 74D-2 provides that any violation of the Board's law or administrative rules constitutes a Class 1 misdemeanor. Therefore, the following administrative rules constitute a crime:

14B NCAC 16 .0105 Prohibited Acts to include displaying a cancelled, revoked, suspended, fictitious or fraudulently altered license or registration card, allowing use of a license or registration by another, advertisement implying State-authorization beyond "licensed by...", use of the word "police" or other law enforcement designation implying affiliation with such an agency, and making a false statement or giving false information to the Board's third-party criminal history record check provider.

14B NCAC 16 .0108 Failure to Provide Consumer Contract for sales, installations, service, response or monitor, and Failure to Provide Written Notice of Termination of service, response or monitoring.

cc: Ralph Gregory, Chair
Alarm Systems Licensing Board

Brian R. Jones, Director
Alarm Systems Licensing Board