

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005

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HOUSE DRH50194-LR-77 (03/09)

Short Title: Protect State Employee Records.

(Public)

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Sponsors: Representative Coleman.

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Referred to:

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1 A BILL TO BE ENTITLED

2 AN ACT AMENDING THE STATE PERSONNEL ACT TO PROTECT THE  
3 PRIVACY OF CERTAIN PERSONAL AND EMPLOYMENT-RELATED  
4 INFORMATION PERTAINING TO STATE EMPLOYEES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 126-22 reads as rewritten:

7 "**§ 126-22. Personnel files not subject to inspection under § 132-6.**

8 Personnel files of State employees, former State employees, or applicants for State  
9 employment shall not be subject to inspection and examination as authorized by  
10 G.S. 132-6. For purposes of this Article, a personnel file consists of any  
11 employment-related or personal information gathered by the department, division,  
12 bureau, commission, council, or other agency subject to Article 7 of this Chapter which  
13 employs an individual, previously employed an individual, or considered an individual's  
14 application for employment, or by the ~~office~~ Office of State Personnel, and which  
15 information relates to the individual's application, selection or nonselection, promotions,  
16 demotions, transfers, leave, salary, benefits, suspension, performance evaluation forms,  
17 potential or actual disciplinary actions, and termination of employment wherever  
18 located and in whatever form. Personnel files of former State employees who have been  
19 separated from State employment for 10 or more years may be open to inspection and  
20 examination except for papers and documents relating to demotions and to disciplinary  
21 actions resulting in the dismissal of the employee."

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