## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2025

FILED SENATE
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## SENATE BILL DRS45131-MC-132

Short Title: Go	overnment Transparency Act of 2025.	(Public)
Sponsors: Se	enators Sanderson and B. Newton (Primary Sponsors).	
Referred to:		
AN ACT TO ACCESSIBII DISMISSAL The General Asso SECT "§ 126-23. Certa (a) Each	embly of North Carolina enacts: <b>FION 1.(a)</b> G.S. 126-23 reads as rewritten: <b>ain records to be kept by State agencies open to inspection.</b> department, agency, institution, commission and bureau of the d of each of its employees, showing the following information with	NCE AND State shall
(10)	Date Subject to subsection (g) of this section, date and general de the reasons for each promotion of the following with that department institution, commission, or bureau.bureau:  a. Promotion.  b. Demotion.  c. Transfer. d. Suspension. e. Separation. f. Dismissal.	-
(11)	Date and type of For each dismissal, suspension, or demotion d disciplinary reasons taken by the department, agency, institution, c or bureau. If the disciplinary action was a dismissal, bureau, a written notice of the final decision of the head of the department of the specific acts or omissions that are the basis of the dismissal. The office or station to which the employee is currently assigned.	ommission, copy of the setting forth
confidential information 1996 (HIPAA), 1327, or other app	following shall apply to the general descriptions as required by	bility Act of a), 104 Stat. subdivision
	prohibited by applicable law."	



The general description for each promotion, demotion, transfer, suspension, 1 (2) 2 separation, or dismissal shall become part of the record maintained under 3 subsection (a) of this section upon the later of the expiration of the time period 4 to file an appeal under any applicable administrative appeals process or a final 5 decision being entered in that administrative appeals process." 6 **SECTION 1.(b)** G.S. 126-22(b) reads as rewritten: 7 "(b) For purposes of this Article the following definitions apply: 8 "Employee" means any current State employee, former State employee, or 9 applicant for State employment.employment subject to this Article. "Employer" means any State department, university, division, bureau, 10 (2) 11 commission, council, or other agency subject to Article 7 of this Chapter.this Article. The term "university" shall include all of the following, as defined in 12 13 G.S. 116-2: 14 The Board. <u>a.</u> The Board of Trustees. 15 b. Chancellor. 16 <u>c.</u> 17 Constituent institutions. d. 18 The President. <u>e.</u> 19 20 **SECTION 2.** G.S. 115C-320 reads as rewritten: 21 "§ 115C-320. Certain records open to inspection. Each local board of education shall maintain a record of each of its employees, 22 23 showing the following information with respect to each employee: 24 25 (10)Date Subject to subsection (e) of this section, date and general description of 26 the reasons for each promotion of the following with that local board of 27 education.education: 28 Promotion. <u>a.</u> 29 Demotion. <u>b.</u> 30 Transfer. c. 31 <u>d.</u> Suspension. Separation. 32 <u>e.</u> 33 Dismissal. 34 Date and type of For each dismissal, suspension, or demotion dismissal for (11)35 disciplinary reasons taken by the local board of education. If the disciplinary 36 action was a dismissal, education, a copy of the written notice of the final 37 decision of the local board education setting forth the specific acts or 38 omissions that are the basis of the dismissal. 39 The office or station to which the employee is currently assigned. (12)40 Nothing in this section shall be construed to authorize the disclosure of any 41 (d) 42 confidential information protected by the Health Insurance Portability and Accountability Act of 43 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 327, or other applicable law. 44 45 The following shall apply to the general descriptions as required by subdivision (e) 46 (a)(10) of this section: 47 No general description shall disclose information otherwise prohibited from (1) disclosure by an applicable law but shall be listed as "description of action 48 49 prohibited by applicable law." 50 The general description for each promotion, demotion, transfer, suspension, (2)

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separation, or dismissal shall become part of the record maintained under

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subsection (a) of this section upon the later of the expiration of the time period 1 2 to file an appeal under any applicable administrative appeals process or a final 3 decision being entered in that administrative appeals process." 4 **SECTION 3.** G.S. 115D-28 reads as rewritten: 5 "§ 115D-28. Certain records open to inspection. 6 Each board of trustees shall maintain a record of each of its employees, showing the 7 following information with respect to each employee: 8 9 (10)Date Subject to subsection (e) of this section, date and general description of 10 the reasons for each promotion of the following with that community 11 college.college: 12 Promotion. <u>a.</u> 13 Demotion. b. 14 Transfer. <u>c.</u> 15 Suspension. d. Separation. 16 e. 17 Dismissal. 18 (11)Date and type of For each dismissal, suspension, or demotion dismissal for 19 disciplinary reasons taken by the community college. If the disciplinary action 20 was a dismissal, college, a copy of the written notice of the final decision of 21 the board of trustees setting forth the specific acts or omissions that are the 22 basis of the dismissal. 23 The office or station to which the employee is currently assigned. (12)24 25 Nothing in this section shall be construed to authorize the disclosure of any (d) 26 confidential information protected by the Health Insurance Portability and Accountability Act of 27 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 28 327, or other applicable law. 29 The following shall apply to the general descriptions as required by subdivision 30 (a)(10) of this section: 31 No general description shall disclose information otherwise prohibited from (1) 32 disclosure by an applicable law but shall be listed as "description of action 33 prohibited by applicable law." 34 The general description for each promotion, demotion, transfer, suspension, **(2)** 35 separation, or dismissal shall become part of the record maintained under 36 subsection (a) of this section upon the later of the expiration of the time period 37 to file an appeal under any applicable administrative appeals process or a final 38 decision being entered in that administrative appeals process." 39 **SECTION 4.** G.S. 122C-158 reads as rewritten: 40 "§ 122C-158. Privacy of personnel records. 41 42 (b) The following information with respect to each employee is a matter of public record: 43 44 Date Subject to subsection (j) of this section, date and general description of (10)the reasons for each promotion of the following with that area 45 46 authority.authority: Promotion. 47 <u>a.</u> 48 Demotion. <u>b.</u> 49 Transfer. <u>c.</u> 50 d. Suspension.

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Separation.

<u>e.</u>

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1		<u>f.</u> <u>Dismissal.</u>
2	(11)	Date and type of For each dismissal, suspension, or demotion dismissal for
3		disciplinary reasons taken by the area authority. If the disciplinary action was
4		a dismissal, authority, a copy of the written notice of the final decision of the
5		area authority setting forth the specific acts or omissions that are the basis of
6		the dismissal.
7	(12)	The office or station to which the employee is currently assigned.
8	•••	
9	(i) Nothi	ng in this section shall be construed to authorize the disclosure of any
10		rmation protected by the Health Insurance Portability and Accountability Act of
11		110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
12	327, or other app	
13		following shall apply to the general descriptions as required by subdivision
14	(b)(10) of this se	
15	(1)	No general description shall disclose information otherwise prohibited from
16	<u>(1)</u>	disclosure by an applicable law but shall be listed as "description of action
17		prohibited by applicable law."
18	<u>(2)</u>	The general description for each promotion, demotion, transfer, suspension,
19	(2)	separation, or dismissal shall become part of the record maintained under
20		subsection (b) of this section upon the later of the expiration of the time period
21		to file an appeal under any applicable administrative appeals process or a final
22		decision being entered in that administrative appeals process."
23	SECT	FION 5. G.S. 130A-45.9 reads as rewritten:
24		Confidentiality of personnel information.
25	3 150/1 45/5/ C	volition in personner information.
26	(b) The fe	ollowing information with respect to each employee of a public health authority
27	is a matter of pub	· · · · · · · · · · · · · · · · · · ·
28	(1)	name; Name.
29	$\frac{(1)}{(2)}$	age; Age.
30	$\frac{(2)}{(3)}$	date Date of original employment or appointment; appointment.
31	<u>(4)</u>	beginning Beginning and ending dates, dates.
32	<u>(5)</u>	position title, Current position and title.
33	<u>(6)</u>	position descriptions, Position description.
34	<u>(7)</u>	<u>Current salary</u> and total compensation of current and former positions;
35	(7)	positions. For the purposes of this subdivision, the term "total compensation"
36		includes pay, benefits, incentives, bonuses, and deferred and all other forms
37		of compensation paid by the employing entity.
38	(8)	the The terms of any contract by which the employee is employed whether
39	<u>(8)</u>	written or oral, past and current, to the extent that the authority has the written
40		contract or a record of the oral contract in its <del>possession, possession.</del>
40	(0)	<u> </u>
	<u>(9)</u>	and date Date and type of the most recent each promotion, demotion, transfer,
42	(10)	suspension, separation, or other change in position classification.
43	<u>(10)</u>	Subject to subsection (e) of this section, date and general description of the
44		reasons for each of the following with that public health authority:
45		a. <u>Promotion.</u>
46		b. Demotion.
47		<ul><li><u>c.</u> Transfer.</li><li><u>d.</u> Suspension.</li></ul>
48		d. Suspension.
49		<ul><li>e. Separation.</li><li>f. Dismissal.</li></ul>
50		<u>f.</u> <u>Dismissal.</u>

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1	(	11)	For each dismissal for disciplinary reasons taken by the	e public health
2	<u>.</u>		authority, a copy of the written notice of the final decision of the	-
3			authority setting forth the specific acts or omissions that are	_
4			dismissal.	the easis of the
5	(	12)	The office or station to which the employee is currently assign	ned
6		13)	In addition, the following information with respect to each li	
7	7	13)	· · · · · · · · · · · · · · · · · · ·	
			provider employed by or having privileges to practice in	
8			facility shall be a matter of public record: educations	•
9			qualifications, date and jurisdiction or original and current	
10			information relating to medical board certifications or other of	•
11			medical specialists. For the purposes of this subsection,	
12			compensation" includes pay, benefits, incentives, bonuses, and	
13			all other forms of compensation paid by the employing entity.	₹
14				
15	<u>(d)</u> <u>N</u>	Nothin	g in this section shall be construed to authorize the dis-	closure of any
16	confidential	inforn	nation protected by the Health Insurance Portability and Accor	ıntability Act of
17	1996 (HIPA	A), 1	10 Stat. 1936, the Americans with Disabilities Act of 1990 (A	ADA), 104 Stat.
18	327, or other	r appli	<u>cable law.</u>	
19	<u>(e)</u> <u>T</u>	The fo	llowing shall apply to the general descriptions as required	by subdivision
20	(b)(10) of th	is sect	tion:	-
21	(	1)	No general description shall disclose information otherwise	prohibited from
22			disclosure by an applicable law but shall be listed as "descr	-
23			prohibited by applicable law."	_
24	(	2)	The general description for each promotion, demotion, trans-	fer, suspension,
25	<u> </u>		separation, or dismissal shall become part of the record ma	
26			subsection (b) of this section upon the later of the expiration of	
27			to file an appeal under any applicable administrative appeals p	-
28			decision being entered in that administrative appeals process.	
29	S	SECT	ION 6. G.S. 131E-257.2 reads as rewritten:	
30			rivacy of employee personnel records.	
31	3 1012 20		irraej of employee personnel records.	
32	(b) T	The fol	llowing information with respect to each public hospital emplo	ovee is a matter
33	of public rec		nowing information with respect to each public hospital emplo	Sycc is a matter
34	-		Name.	
35	,	1)		
		2)	Age.	
36		3)	Date of original employment.	
37		4)	Current position title.	4
38	(.	5)	Date of the most recent and type for each promotion, dem	
39	,		suspension, separation or other change in position classification	on.
40		6) 7)	The office to which the employee is currently assigned.	
41	<u>(</u>	<u>7)</u>	Subject to subsection (j) of this section, date and general de	scription of the
42			reasons for each of the following with that public hospital:	
43			<u>a.</u> <u>Promotion.</u>	
44			<u>b.</u> <u>Demotion.</u>	
45			<u>c.</u> <u>Transfer.</u>	
46			<u>d.</u> <u>Suspension.</u>	
47			<ul> <li>b. Demotion.</li> <li>c. Transfer.</li> <li>d. Suspension.</li> <li>e. Separation.</li> <li>f. Dismissal.</li> </ul>	
48			<del>_</del>	
49	<u>(</u>	8)	For each dismissal for disciplinary reasons taken by the public	
50			of the written notice of the final decision of the public hospi	_
51			the specific acts or omissions that are the basis of the dismissa	<u>al.</u>

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	<u>(9)</u>	In addition, the following information with respect to For each licensed
	(2)	medical provider employed by or having privileges to practice in a public
		hospital shall be a matter of public record: hospital, the following information
		educational history and qualifications, date and jurisdiction or original and
		current licensure; and information relating to medical board certifications or
		other qualifications of medical specialists.
		other quantitations of medical specialists.
(i)	Nothi	ing in this section shall be construed to authorize the disclosure of any
		rmation protected by the Health Insurance Portability and Accountability Act of
		110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
		olicable law.
(j)		ollowing shall apply to the general descriptions as required by subdivision (b)(7)
of this sec		showing shall apply to the general descriptions as required by subdivision (b)(7)
<u> </u>	(1)	No general description shall disclose information otherwise prohibited from
	<u>(1)</u>	disclosure by an applicable law but shall be listed as "description of action
		prohibited by applicable law."
	<u>(2)</u>	The general description for each promotion, demotion, transfer, suspension,
	<u>(2)</u>	separation, or dismissal shall become part of the record maintained under
		subsection (b) of this section upon the later of the expiration of the time period
		to file an appeal under any applicable administrative appeals process or a final
	SECT	decision being entered in that administrative appeals process." <b>FION 7.(a)</b> G.S. 153A-98 reads as rewritten:
"S 152 A		
§ 155A-	96. PH	ivacy of employee personnel records.
 (a1)	Thic	coation shall apply to all appleyage subject to C.S. 152 A 102
(b)		section shall apply to all employees subject to G.S. 153A-103. ollowing information with respect to each county employee is a matter of public
record:	1116 10	onowing information with respect to each county employee is a matter of public
ecoru.		
	(10)	Data Subject to subsection (b) of this section, data and consent description of
	(10)	Date Subject to subsection (h) of this section, date and general description of the reasons for each promotion of the following with that county:
		D
		a. Promotion.
		b. Demotion.
		c. <u>Transfer.</u>
		d. Suspension.
		<ul><li>e. Separation.</li><li>f. Dismissal.</li></ul>
	(4.4)	<del>-</del>
	(11)	Date and type of For each dismissal, suspension, or demotion dismissal for
		disciplinary reasons taken by the eounty. If the disciplinary action was a
		dismissal, county, a copy of the written notice of the final decision of the
		county setting forth the specific acts or omissions that are the basis of the
		dismissal.
	(12)	The office to which the employee is currently assigned.
•••		
<u>(g)</u>		ing in this section shall be construed to authorize the disclosure of any
		rmation protected by the Health Insurance Portability and Accountability Act of
1996 (HI	PAA),	110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
327, or ot	ther app	olicable law.

(h) The following shall apply to the general descriptions as required by subdivision (b)(10) of this section:

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	General	LOSCIIIA	ny or rotti caronia
1		<u>(1)</u>	No general description shall disclose information otherwise prohibited from
2			disclosure by an applicable law but shall be listed as "description of action
3			prohibited by applicable law."
4		<u>(2)</u>	The general description for each promotion, demotion, transfer, suspension,
5			separation, or dismissal shall become part of the record maintained under
6			subsection (b) of this section upon the later of the expiration of the time period
7			to file an appeal under any applicable administrative appeals process or a final
8			decision being entered in that administrative appeals process."
9			<b>TION 7.(b)</b> G.S. 153A-99(b) reads as rewritten:
10	"(b)	Defin	itions. For the purposes of this section:
11		(1)	"County employee" or "employee" means any person employed by a county
12			or any department or program thereof that is supported, in whole or in part, by
13			county funds; funds but shall not include employees subject to G.S. 153A-103;
14		(2)	"On duty" means that time period when an employee is engaged in the duties
15			of his or her employment; and
16		(3)	"Workplace" means any place where an employee engages in his or her job
17			duties."
18			<b>FION 8.</b> G.S. 160A-168 reads as rewritten:
19	"§ 160A-1	168. Pr	rivacy of employee personnel records.
20	•••	FF1 6	
21	(b)	The to	ollowing information with respect to each city employee is a matter of public
22	record:		
23		(10)	D-4- C-1: -4414: (h) -f4:4: 1-41 11
24		(10)	Date Subject to subsection (h) of this section, date and general description of
25			the reasons for each promotion of the following with that
26			municipality:
27			a. Promotion.
28			b. Demotion.
29			c. Transfer.
30 31			<ul> <li>c. Transfer.</li> <li>d. Suspension.</li> <li>e. Separation.</li> <li>f. Dismissal.</li> </ul>
			e. Separation.
32		(11)	<del></del>
33 34		(11)	Date and type of For each dismissal, suspension, or demotion dismissal for disciplinary reasons taken by the municipality. If the disciplinary action was
35			a dismissal, municipality, a copy of the written notice of the final decision of
36			the municipality setting forth the specific acts or omissions that are the basis
37			of the dismissal.
38		(12)	The office to which the employee is currently assigned.
39		(12)	The office to which the employee is currently assigned.
40	 (g)	Nothi	ng in this section shall be construed to authorize the disclosure of any
41			rmation protected by the Health Insurance Portability and Accountability Act of
42			10 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat.
43		•	licable law.
44	(h)		following shall apply to the general descriptions as required by subdivision
45	(b)(10) of		· · · · · · · · · · · · · · · · · · ·
46	(0)(10) 01	(1)	No general description shall disclose information otherwise prohibited from
47		(1)	disclosure by an applicable law but shall be listed as "description of action
48			prohibited by applicable law."
49		<u>(2)</u>	The general description for each promotion, demotion, transfer, suspension,
50		<u>1—1</u>	separation, or dismissal shall become part of the record maintained under
51			subsection (b) of this section upon the later of the expiration of the time period

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occurring on or after that date.

to file an appeal under any applicable administrative appeals process or a final 1 2 decision being entered in that administrative appeals process." 3 **SECTION 9.** G.S. 162A-6.1 reads as rewritten: 4 "§ 162A-6.1. Privacy of employee personnel records. 5 6 (b) The following information with respect to each authority employee is a matter of 7 public record: 8 9 (10)Date Subject to subsection (j) of this section, date and general description of the reasons for each promotion of the following with that authority: 10 11 Promotion. 12 <u>b.</u> Demotion. 13 Transfer. <u>c.</u> 14 <u>d.</u> Suspension. 15 Separation. e. f. Dismissal. 16 17 (11)Date and type of For each dismissal, suspension, or demotion dismissal for 18 disciplinary reasons taken by the authority. If the disciplinary action was a 19 dismissal, authority, a copy of the written notice of the final decision of the 20 authority setting forth the specific acts or omissions that are the basis of the 21 dismissal. 22 (12)The office to which the employee is currently assigned. 23 24 (i) Nothing in this section shall be construed to authorize the disclosure of any 25 confidential information protected by the Health Insurance Portability and Accountability Act of 26 1996 (HIPAA), 110 Stat. 1936, the Americans with Disabilities Act of 1990 (ADA), 104 Stat. 27 327, or other applicable law. The following shall apply to the general descriptions as required by subdivision 28 (j) 29 (b)(10) of this section: 30 No general description shall disclose information otherwise prohibited from (1) disclosure by an applicable law but shall be listed as "description of action 31 32 prohibited by applicable law." 33 The general description for each promotion, demotion, transfer, suspension, (2) 34 separation, or dismissal shall become part of the record maintained under 35 subsection (b) of this section upon the later of the expiration of the time period to file an appeal under any applicable administrative appeals process or a final 36 37 decision being entered in that administrative appeals process." 38 **SECTION 10.(a)** No later than November 30, 2025, each employer affected by this 39 act shall adopt personnel policies to effectuate this act to permit all of its employees to challenge 40 the wording of the general description of any promotion, demotion, transfer, suspension, 41 separation, or dismissal occurring on or after December 1, 2025. 42 **SECTION 10.(b)** This section is effective when it becomes law. 43 **SECTION 11.** Except as otherwise provided, this act becomes effective December

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1, 2025, and applies to promotions, demotions, transfers, suspensions, separations, and dismissals