

**NORTH CAROLINA SHERIFFS' EDUCATION AND TRAINING
STANDARDS COMMISSION**



12 NCAC 10B .0404 General Certification

Public Hearing

August 20, 2024 @ 9:00am
1700 Tryon Park Drive
Raleigh, NC 27610

Reason for rule change:

The Sheriff's Commission voted to not require sheriff deputies to complete Basic Law Enforcement Training (BLET) prior to taking their oath of office. The Commission voted to return to the previous requirement that BLET be completed during their probationary period.

Instructions for Oral and Written Comments

The public comment period begins on August 1, 2024 and ends at 5:00 p.m. on September 30, 2024. Public comments shall be in writing and shall be directed to:

Melissa Bowman
North Carolina Department of Justice
Sheriffs' Education and Training Standards Division
Post Office Box 629
Raleigh, NC 27602-0629

"Public Comment" is defined by NCGS 150B-21.3A(a)(5) as a written objection to all or part of a rule. Additionally, pursuant to NCGS 150B-21.3A(c)(2), in order for the Rules Review Commission to determine whether the public comment has merit, the public comment must address the specific substance of the rule and address any of the standards of Commission review, as set forth in NCGS 150B-21.9(a).

*****If approved, this change would become effective December 1, 2024*****

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

****Statutory Authority for Proposed Rules Changes by the Sheriffs' Commission is found in NCGS 17E****

1 12 NCAC 10B .0404 is proposed for amendment as follows:

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3 **12 NCAC 10B .0404 GENERAL CERTIFICATION**

4 (a) The Commission shall grant an officer general certification if evidence is received by the Division that the officer
5 has:

6 (1) complied with all of the requirements of ~~12 NCAC 10B .0300;~~ Section .0300 of this Subchapter;
7 and

8 ~~(2) successfully completed the required probationary period pursuant to Rule .0402 of this Section; and~~

9 ~~(3)(2) detention officers and telecommunicators have~~ successfully completed the required training as set
10 out in Sections .0500, .0600, or .1300 of this Subchapter within the probationary period.

11 (b) General certification is continuous from the date of issuance if:

12 (1) ~~The~~ the certified officer remains continuously employed or appointed as an officer with an agency
13 and the certification has not been terminated for cause; or

14 (2) ~~The~~ the certified officer, having separated without a pending disciplinary action from an agency, is
15 reemployed or reappointed as a justice officer within one year from the date of separation, and the
16 certification has not been terminated for cause.

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18 *History Note: Authority G.S. 17E-4; 17E-7;*

19 *Eff. January 1, 1989;*

20 *Amended Eff. January 1, 1993;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
22 *2018;*

23 *Amended Eff. December 1, 2024; July 1, 2024.*

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