

12 NCAC 10B .1402 is proposed for amendment as follows:

**12 NCAC 10B .1402      ~~GENERAL PROVISIONS~~ ELIGIBILITY FOR PROFESSIONAL CERTIFICATES**

(a) In order to be eligible for one or more of the professional certificates, a reserve deputy sheriff shall first meet the following preliminary qualifications:

(1) be an appointed reserve deputy sheriff who holds a valid ~~General~~ general or ~~Grandfather Certification~~ grandfather certification as defined in G.S. 17E-7(a). A reserve deputy sheriff serving under a probationary certification is not eligible for consideration. ~~Any deputy sheriff subject to suspension or revocation proceedings or under investigation for possible decertification action by the Commission or the North Carolina Criminal Justice Education and Training Standards Commission shall not be eligible for any deputy sheriff professional awards for the pendency of the proceeding;~~

(2) any reserve deputy sheriff subject to suspension or revocation proceedings, under investigation for possible decertification action, under a period of active revocation of their certification, or under probation or suspended sanction, by the Commission or the North Carolina Criminal Justice Education and Training Standards Commission, shall not be eligible for any professional certificates for the pendency of the proceedings or period of probation, suspension, or revocation;

~~(2)(3) be familiar with and subscribe to the Law Enforcement Code of Ethics as promulgated by the International Association of Chiefs of Police to include any subsequent editions or modifications thereto. A copy of the Code of Ethics may be obtained at no cost from the Sheriffs' Standards Division, North Carolina Department of Justice, Post Office Box 629, Raleigh, North Carolina 27602-0629; meet and maintain the requirements of certification pursuant to Rule .0301 and Section .0500 of this Subchapter;~~

~~(3)(4) the applicant shall be a sworn law enforcement officer~~ officer, as defined in Rule .0103(19) of this Subchapter, of a North Carolina Sheriff's Office, as certified in writing by the sheriff; or be a sworn law enforcement officer of an agency who must be appointed by the sheriff in order to perform his duties as certified in writing by the Sheriff; and sheriff's office.

(4) ~~only training or experience gained in an officer's area of expertise will be eligible for application to this program. All training must be completed during the time of service as a sworn law enforcement officer, with the exception of Basic Law Enforcement Training.~~

(b) Only training or experience gained in an officer's area of expertise, as described in Paragraph (c) of this Rule, shall be eligible for application to this program.

~~(b)(c) Certificates are~~ shall be awarded based upon a formula ~~which that~~ combines law enforcement training and ~~actual participation~~ experience as a reserve deputy sheriff in a law enforcement ~~functions~~ position, as defined in Rule .0103(19) of this Subchapter. Points are computed in the following manner:

- (1) a minimum of ~~ninety-six (96)~~ 96 hours ~~achieved~~ worked as a reserve deputy sheriff over a one-year period of participation in law enforcement functions, by having been called into reserve duty by the appointing sheriff, shall equal one year of reserve service;
- (2) ~~twenty~~ 20 hours of ~~commission approved~~ law enforcement training shall equal one law enforcement training point; and
- (3) service as a reserve deputy sheriff in a sworn law enforcement position, as defined in Rule .0103(19) of this Subchapter, ~~shall be acceptable for consideration.~~ An officer who is otherwise ineligible to receive an equivalent certificate through the Professional Certificate Program for ~~Sheriffs~~ sheriffs and ~~Deputy Sheriffs~~ deputy sheriffs, as set out in ~~12 NCAC 10B-1000~~ Section .1000 of this Subchapter, may receive a certificate under this ~~program, program, in which case one~~ One year of full-time service may be substituted for one year of reserve service in computing eligibility under this Section.

(d) In addition to the qualifications set forth in Paragraphs (a), (b), and (c) of this Rule, applicants for the Intermediate Reserve Deputy Sheriff Professional Certificate shall have acquired the following law enforcement training points and years of service as a reserve law enforcement officer:

- (1) 8 years of reserve officer law enforcement experience; and
- (2) 35 minimum law enforcement training points.

(e) In addition to the qualifications set forth in Paragraphs (a), (b), and (c) of this Rule, applicants for the Advanced Deputy Sheriff Professional Certificate shall possess or be eligible to possess the Intermediate Reserve Deputy Sheriff Professional Certificate and shall have acquired the following law enforcement training points and years of service as a reserve law enforcement officer:

- (1) 12 years of reserve officer law enforcement experience; and
- (2) 50 minimum law enforcement training points.

(f) No more than 160 hours of training obtained by completing an accredited basic law enforcement training program required to serve in a sworn law enforcement position, as defined in Rule .0103(19) of this Subchapter, shall be credited toward training points for the Intermediate or Advanced Reserve Deputy Sheriff Professional Certificate.

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

*Eff. August 1, 2000;*

*Amended Eff. January 1, 2006;*

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

*Amended Eff. December 1, 2025.*