12 NCAC 10B .0406 is proposed for repeal through readoption as follows:

12 NCAC 10B .0406 LATERAL TRANSFERS AND REINSTATEMENTS

~~(a) The general certification, pursuant to Rule .0404 of this Section, or grandfather certification, as defined in G.S. 17E-7(a), of a detention officer, as defined in Rule .0103(6) of this Subchapter, or a telecommunicator, as defined in Rule .0103(20) of this Subchapter, is eligible for lateral transfer to an agency and be certified upon compliance with Paragraphs (b) and (c) of this Rule.~~

~~(b) The employing agency shall verify the applicant's certification status with the Division prior to submission of the application for certification as a lateral transfer.~~

~~(c) In order for a detention officer or telecommunicator to be certified pursuant to Paragraph (a) of this Rule, the employing agency shall submit to the Division, along with the Report of Appointment (F-4 or F-4T), the documents required in Rule .0408 of this Section.~~

~~(d) A justice officer whose certification was suspended pursuant to Rule .0204(b)(1) of this Subchapter is eligible to have the certification reinstated provided that:~~

~~(1) the period of suspension was six months or less;~~

~~(2) the employing agency submits to the Division, along with a Report of Appointment, the documents required in Rule .0408 of this Subchapter except Subparagraphs (1), (2), (3), (4), and (5) of Paragraph (a); and~~

~~(3) the officer has successfully completed the basic training requirements as prescribed in Sections .0500, .0600, or .1300 of this Subchapter.~~

~~(e) A justice officer for whom a Report of Separation (Form F-5) has been submitted to the Division, and who is re-appointed in the same agency, is eligible for reinstatement provided that:~~

~~(1) the period of separation has been six months or less; and~~

~~(2) the employing agency submits to the Division, along with a Report of Appointment, the documents required in Rule .0408 of this Subchapter except Subparagraphs (1), (2), (3), (4), and (5) of Paragraph (a).~~

History Note: *Authority G.S. 17E-4; 17E-7;*
Eff. January 1, 1989;
Amended Eff. January 1, 1994; January 1, 1993; January 1, 1992; July 1, 1990;
Temporary Amendment Eff. March 1, 1998;
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6, 2018;
Amended Eff. July 1, 2025; December 1, ~~2023.~~ 2023;
Repealed Eff. March 1, 2027.