



2021-2022 General Assembly

# HOUSE BILL 103: 2022 Appropriations Act, Sec. 13.1: Occupational Health and Safety Division Issuance of Citations

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<b>Committee:</b>		<b>Date:</b>	August 2, 2022
<b>Introduced by:</b>		<b>Prepared by:</b>	Brad Krehely Staff Attorney
<b>Analysis of:</b>	Sec. 13.1 of S.L. 2022-74		

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**OVERVIEW:** *Sec. 13.1 of S.L. 2022-74 amends the Occupational Safety and Health Act of North Carolina to provide that no citation may be issued after six months following the initiation of an inspection, rather than six months after the occurrence of a violation. This section becomes effective October 1, 2022, and applies to inspections initiated on or after that date.*

**CURRENT LAW:** The State of North Carolina has a federally approved program to administer the Occupational Safety and Health Act (OSHA). The North Carolina Department of Labor, Occupational Safety and Health (OSH) Division carries out this program and is charged with enforcing workplace safety requirements. The OSH Division conducts workplace investigations that can arise from complaints, accidents, or by random selection for an inspection. After an inspection, an employer may be cited for violations of OSHA, but the employer is given an opportunity to correct the violations and avoid further action. Civil and criminal penalties could apply in certain circumstances. Under current law, no citation may be issued after the expiration of six months following the occurrence of a violation. G.S. 95-137(b)(3).

**BILL ANALYSIS:** Sec. 13.1 of S.L. 2022-74 amends the Occupational Safety and Health Act of North Carolina to provide that no citation may be issued after six months following the initiation of an inspection, rather than six months after the occurrence of a violation.

**EFFECTIVE DATE:** This section becomes effective October 1, 2022, and applies to inspections initiated on or after that date.

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