

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 654
SENATE BILL 351

AN ACT TO PROVIDE FOR THE DEFENSE OF LOCAL HEALTH DEPARTMENT
SANITARIANS ENFORCING PUBLIC HEALTH RULES OF THE NORTH
CAROLINA COMMISSION FOR HEALTH SERVICES UNDER THE
SUPERVISION OF THE NORTH CAROLINA DEPARTMENT OF HUMAN
RESOURCES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 143 of the General Statutes is hereby amended by changing the title of Article 31A to the following:

"Article 31A.

Defense of State Employees, Medical Contractors
and Local Sanitarians.

Sec. 2. Article 31A of the General Statutes is hereby amended by adding a new section, to be designated G.S. 143-300.8, and to read as follows:

"§ 143-300.8. **Defense of local sanitarians.** – Any local health department sanitarian enforcing rules of the Commission for Health Services under the supervision of the Department of Human Resources pursuant to G.S. 130A-4(b) shall be defended by the Attorney General, subject to the provisions of G.S. 143-300.4, and shall be protected from liability in accordance with the provisions of this Article in any civil or criminal action or proceeding brought against the sanitarian in his official or individual capacity, or both, on account of an act done or omission made in the scope and course of enforcing the rules of the Commission for Health Services. The Department of Human Resources shall pay any judgment against the sanitarian, or any settlement made on his behalf, subject to the provisions of G.S. 143-300.6."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 22nd day of July, 1987.