

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 656  
SENATE BILL 350

AN ACT TO ESTABLISH A TIME FRAME FOR FILING APPEALS OF  
ADMINISTRATIVE PENALTY ASSESSMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-22(e) reads as rewritten:

"(e) A person contesting a penalty shall, by filing a petition pursuant to G.S. 150B-23(a) not later than 30 days after receipt by the petitioner of the document which constitutes agency action, be entitled to an administrative hearing and judicial review in accordance with Chapter ~~150A-150B~~ of the General Statutes, the Administrative Procedure Act."

Sec. 2. G.S. 130A-22(g) reads as rewritten:

"(g) The Secretary may bring a civil action in the superior court of the county where the violation occurred or where the defendant resides to recover the amount of the administrative penalty whenever a person:

- (1) Who has not requested an administrative hearing in accordance with subsection (e) of this section fails to pay the penalty within 60 days after being notified of the penalty; or
- (2) Who has requested an administrative hearing fails to pay the penalty within 60 days after service of a written copy of the decision as provided in ~~G.S. 150A-36~~ G.S. 150B-36 of the Administrative Procedure Act."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of July, 1987.