

1 12 NCAC 10B .0405 IS AMENDED AS PUBLISHED IN VOLUME 36, ISSUE 10, PAGES 871 – 872 OF THE
2 NORTH CAROLINA PUBLIC REGISTER AS FOLLOWS:
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5 12 NCAC 10B .0405 REPORT OF SEPARATION

6 (a) An agency separating a person from employment or appointment as a justice officer shall, not later than 10 days
7 after separation, forward to the Division a completed Report of Separation ~~(F-5)~~ (Form F-5 or Form F-5T).

8 (b) The Report of Separation (Form F-5 or F-5T) shall include the separating agency, the justice officer's name and
9 address, the date of separation from the agency, and the signature of the agency head or authorized agency
10 representative. If there are any allegations of criminal behavior, untruthfulness or other violations of Commission
11 rules, the separating agency shall also document that information on the Report of Separation form.

12 ~~(b)(c)~~ Although not presently required by these Rules, it is recommended by the Commission that the employing
13 agency cancel the oath of office of a justice officer who has separated.

14 ~~(c)(d)~~ The employing agency ~~will~~ shall notify the justice officer of the effective date of separation as reported to the
15 Division, and provide documentation of such notification at the time Report of Separation ~~(Form F-5)~~ (Form F-5 or
16 Form F-5T) is submitted to the Division. ~~Where no such documentation is provided, the Division will mail a copy of~~
17 ~~the Report of Separation (Form F-5) to the justice officer's last known address.~~

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

20 Eff. January 1, 1989;

21 Amended Eff. January 1, 2005; January 1, 1996; January 1, 1992;

22 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,
23 2018.

24 Amended Eff. April 1, 2022