

21 NCAC 06C .0913 is adopted with changes as published in 34:16 NCAC 1628 as follows:

21 NCAC 06C .0913 PREDETERMINATIONS FOR INDIVIDUALS WITH CRIMINAL RECORDS

(a) An individual who wishes to request a predetermination under G.S. 93B-8.1(b6) shall submit a petition with the following:

- (1) The person's full name;
- (2) The person's social security number;
- (3) The person's date of birth;
- (4) The person's current address;
- (5) A complete and accurate criminal history record from the Federal Bureau of Investigation;
- (6) Three character references from individuals chosen by the petitioner;
- (7) A notarized affirmation under oath that the information in the petition is accurate and true to the best of the petitioner's knowledge; and
- (8) For each offense in the criminal history record, the following information:
 - (A) Whether the crime was a felony or misdemeanor;
 - (B) The date that the person was convicted of the offense;
 - (C) The sentence imposed for the crime;
 - (D) If the petitioner has completed the sentence, documentation from the appropriate court showing that the petitioner has met all court-imposed sentencing conditions or that records pertaining to the applicant either do not exist or have been purged;
 - (E) If the petitioner has not completed the sentence, either a statement written by the petitioner describing, or documentation from the sentencing ~~court, showing~~ court showing, the status of the petitioner's efforts toward meeting the sentencing requirements, including the expected date of completion;
 - (F) If applicable, evidence of a Certificate of Relief granted under G.S. 15A-173.2;
 - (G) If applicable, evidence of completion of or active participation in rehabilitative measures, such as drug or alcohol treatment, domestic-violence or anger-management counseling, or Drug Court programs; and
 - (H) A statement by petitioner that describes the circumstances surrounding the commission of the crime.

(b) The petition shall be accompanied by a non-refundable petition fee of forty-five dollars (\$45.00).

(c) The Board delegates authority to make predeterminations to the Executive Director, who shall issue a response as required by G.S. 93B-8.1(b6).

History: *Authority G.S. 93B-8.1;*

Eff. July 1, 2020.