

GICC

Overview of Council Role and certain
Applicable Laws

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NC Statutes

§ 143B-1420. Council established; role of the Center for Geographic Information and Analysis.

(a) Council Established. - The North Carolina Geographic Information Coordinating Council ("Council") is established to develop policies regarding the utilization of geographic information, GIS systems, and other related technologies. The Council shall be responsible for the following:

- (1) Strategic planning.
- (2) Resolution of policy and technology issues.
- (3) Coordination, direction, and oversight of State, local, and private GIS efforts.
- (4) Advising the Governor, the General Assembly, and the State Chief Information Officer as to needed directions, responsibilities, and funding regarding geographic information.

The purpose of this statewide geographic information coordination effort shall be to further cooperation among State, federal, and local government agencies; academic institutions; and the private sector to improve the quality, access, cost-effectiveness, and utility of North Carolina's geographic information and to promote geographic information as a strategic resource in the State. The Council shall be located in the Office of the Governor for organizational, budgetary, and administrative purposes.

(b) **Role of CGIA.** - The Center for Geographic Information and Analysis (CGIA) shall staff the Geographic Information and Coordinating Council and its committees. CGIA shall manage and distribute digital geographic information about North Carolina maintained by numerous State and local government agencies. It shall operate a statewide data clearinghouse and provide Internet access to State geographic information. (2001-359, s. 1; 2004-129, s. 44; 2015-241, s. 7A.3(3).)



§ 132-1.7. Sensitive public security information.

(a) Public records, as defined in G.S. 132-1, shall not include information containing specific details of public security plans and arrangements or the detailed plans and drawings of public buildings and infrastructure facilities or plans, schedules, or other documents that include information regarding patterns or practices associated with executive protection and security.

(a1) Public records, as defined in G.S. 132-1, shall not include specific security information or detailed plans, patterns, or practices associated with prison operations.

(a2) Public records, as defined in G.S. 132-1, shall not include specific security information or detailed plans, patterns, or practices to prevent or respond to criminal, gang, or organized illegal activity.

(b) Public records as defined in G.S. 132-1 do not include plans to prevent or respond to terrorist activity, to the extent such records set forth vulnerability and risk assessments, potential targets, specific tactics, or specific security or emergency procedures, the disclosure of which would jeopardize the safety of governmental personnel or the general public or the security of any governmental facility, building, structure, or information storage system.

(b1) Public records shall not include mobile telephone numbers issued by a local, county, or State government to any of the following:

- (1) A sworn law enforcement officer or nonsworn employee of a public law enforcement agency.
- (2) An employee of a fire department.
- (3) Any employee whose duties include responding to an emergency.

(c) Information relating to the general adoption of public security plans and arrangements, and budgetary information concerning the authorization or expenditure of public funds to implement public security plans and arrangements, or for the construction, renovation, or repair of public buildings and infrastructure facilities shall be public records. (2001-516, s. 3; 2003-180, s. 1; 2015-225, s. 3; 2015-241, s. 16A.5.)



§ 132-10. Qualified exception for geographical information systems.

Geographical information systems databases and data files developed and operated by counties and cities are public records within the meaning of this Chapter. The county or city shall provide public access to such systems by public access terminals or other output devices. Upon request, the county or city shall furnish copies, in documentary or electronic form, to anyone requesting them at reasonable cost. As a condition of furnishing an electronic copy, whether on magnetic tape, magnetic disk, compact disk, or photo-optical device, a county or city may require that the person obtaining the copy agree in writing that the copy will not be resold or otherwise used for trade or commercial purposes. For purposes of this section, publication or broadcast by the news media, real estate trade associations, or Multiple Listing Services operated by real estate trade associations shall not constitute a resale or use of the data for trade or commercial purposes and use of information without resale by a licensed professional in the course of practicing the professional's profession shall not constitute use for a commercial purpose. For purposes of this section, resale at cost by a real estate trade association or Multiple Listing Services operated by a real estate trade association shall not constitute a resale or use of the data for trade or commercial purposes. (1995, c. 388, s. 5; 1997-193, s. 1.)



§ 132-11. Time limitation on confidentiality of records.

- (a) Notwithstanding any other provision of law, all restrictions on access to public records shall expire 100 years after the creation of the record.
- (b) Subsection (a) of this section shall apply to any public record in existence at the time of, or created after, August 18, 2015.
- (c) No provision of this section shall be construed to authorize or require the opening of any record that meets any of the following criteria:
 - (1) Is ordered to be sealed by any state or federal court, except as provided by that court.
 - (2) Is prohibited from being disclosed under federal law, rule, or regulation.
 - (3) Contains federal Social Security numbers.
 - (4) Is a juvenile, probationer, parolee, post-releasee, or prison inmate record, including medical and mental health records.
 - (5) Contains detailed plans and drawings of public buildings and infrastructure facilities.
- (d) For purposes of this section, the custodian of the record shall be the Department of Natural and Cultural Resources or other agency in actual possession of the record. (2015-218, s. 3; 2015-241, s. 14.30(c).)



Federal Law

Homeland Security Act of 2002, Public Law 107-296 – Nov. 25, 2002, Title II.

- Homeland Security Presidential Directive 7: Critical Infrastructure, Identification, Prioritization, and Protection.

NC Case Law

Whitehurst v. Alexander County, 2016 N.C. App. 329 (2016).



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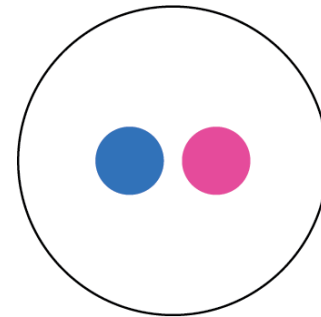
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