



CHAPTER 104E

N.C.G.S. § 104E-24.

Administrative penalties.

|                                                                                    |                                                                                   |                                           |                                                                                              |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>S.L. 2025-25, s. 24(d) — eighth act in the lineage | RETRIEVED<br>21 September 2026, 05:38 UTC | SOURCE FINGERPRINT<br>5e5fd72609b0bdd3c9e620d2 - 4a7962766ca9d1573d60fd8f - 898c307fa7f085c0 |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|

- § 104E-24(a)

The Department may impose an administrative penalty on a person that does either of the following:

(1)

Fails to comply with this Chapter, any order issued under it, or any rules adopted pursuant to it.

(2)

Refuses to allow an authorized representative of the Radiation Protection Commission or the Department of Health and Human Services a right of entry as provided for in G.S. 104E-11 or impounding materials as provided for in G.S. 104E-14.
- § 104E-24(b)

Each day of a continuing violation constitutes a separate violation. The penalty shall not exceed ten thousand dollars (\$10,000) per day. In determining the amount of the penalty, the Department shall consider the degree and extent of the harm caused by the violation. Any person assessed a penalty shall be notified of the assessment by registered or certified mail, and the notice shall specify the reasons for the assessment.
- § 104E-24(c)

Any person wishing to contest a penalty or order issued under this section is entitled to an administrative hearing and judicial review in accordance with the procedures outlined in Articles 3 and 4 of Chapter 150B of the General Statutes.
- § 104E-24(d)

The Secretary may bring a civil action in the superior court of the county in which the violation is alleged to have occurred to recover the amount of the administrative penalty if either of the following applies:

(1)

The person has not requested an administrative hearing and fails to pay the penalty within 60 days after being notified of the penalty.

- (2) The person has requested an administrative hearing and fails to pay the penalty within 60 days after the Office of Administrative Hearings forwards a written copy of the decision as provided in G.S. 150B-34.

**§ 104E-24(e)**

The clear proceeds of penalties imposed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I  
8 ACTS

## Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



| Nº | YEAR | ACT                          | CHARACTER |
|----|------|------------------------------|-----------|
| 01 | 1981 | c. 704, s. 14                | ENACTED   |
| 02 | 1987 | c. 850, s. 14                | AMENDED   |
| 03 | 1989 | c. 727, s. 219(24)           | AMENDED   |
| 04 | 1997 | S.L. 1997-443, s. 11A.119(a) | AMENDED   |
| 05 | 1998 | S.L. 1998-215, s. 47(a)      | AMENDED   |
| 06 | 2015 | S.L. 2015-241, s. 14.30(u)   | AMENDED   |
| 07 | 2015 | S.L. 2015-264, s. 54(e)      | AMENDED   |
| 08 | 2025 | S.L. 2025-25, s. 24(d)       | AMENDED   |

APPARATUS II

4 AUTHORITIES

## Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE    | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION        |
|--------------|------------|-------------------------------------------|
| G.S. 104E-11 | (a)(2)     | "of entry as provided for in"             |
| G.S. 104E-14 | (a)(2)     | "impounding materials as provided for in" |

|                 |        |                                                 |
|-----------------|--------|-------------------------------------------------|
| G.S. 150B-34    | (d)(2) | <i>"of the decision as provided in"</i>         |
| G.S. 115C-457.2 | (e)    | <i>"and Forfeiture Fund in accordance with"</i> |

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 104E-24 (2025).

PINPOINT

N.C. Gen. Stat. § 104E-24(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1981, c. 704, s. 14; 1987, c. 850, s. 14; 1989, c. 727, s. 219(24); 1997-443, s. 11A.119(a); 1998-215, s. 47(a); 2015-241, s. 14.30(u); 2015-264, s. 54(e); 2025-25, s. 24(d).)

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