

March 3, 2009

H 393. MODIFY RULE-MAKING PROCESS. Filed 3/3/09. *TO MODIFY THE RULE-MAKING PROCESS TO MAKE ALL RULES APPROVED BY THE RULES REVIEW COMMISSION SUBJECT TO LEGISLATIVE REVIEW.*

Under current law, a permanent rule approved by the Rules Review Commission (Commission) becomes effective on the first day of the month following the month in which the rule is approved by the Commission, unless the Commission receives written objections to the rule or the agency that adopted the rule specifies a later effective date.

Amends GS 150B-21.3 regarding the effective date of a permanent rule approved by the Commission. Provides that a permanent rule approved by the Commission becomes effective on whichever comes earlier: (1) the 31st legislative day or (2) the day of adjournment of the next General Assembly regular session that begins at least 25 days after the date that the Commission approved the rule, unless a different effective date applies under GS 150B-21.3 [was, these delayed effective dates were only applicable if the Commission received written objections to the rule under subsection (b2) of GS 150B-21.3]. Deletes subsection (b2), which lays out the procedures for making written comments objecting to the adoption of a permanent rule and requesting legislative review of the rule adoption. Makes a conforming change to subsection (c) (regarding an executive order exception).

Effective July 1, 2009, and applies to permanent rules adopted on or after that date.

Intro. by Allred, Owens.

GS 150B