GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H **D**

HOUSE BILL 327
PROPOSED COMMITTEE SUBSTITUTE H327-PCS30351-BH-7

Short Title: Update Legislative Review of Rules Process. (Public)

Sponsors:

Referred to:

March 18, 2021

A BILL TO BE ENTITLED

AN ACT TO UPDATE THE PROCESS FOR LEGISLATIVE REVIEW OF RULES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 150B-21.3 reads as rewritten:

"**§ 150B-21.3. Effective date of rules.**

…

(b1) Delayed Effective Dates. – Except as provided in G.S. 14-4.1, if the Commission received written objections to the rule in accordance with subsection (b2) of this section, the rule becomes effective on the earlier of the thirty-first legislative day or the day of adjournment of the next regular session of the General Assembly that begins at least 25 days after the date the Commission approved the rule, unless a different effective date applies under this section. If a bill that specifically disapproves the rule is introduced in either house of the General Assembly before the thirty-first legislative day of that session, the rule becomes effective on ~~the earlier of either the day an unfavorable final action is taken on the bill or the day that session of the General Assembly adjourns without ratifying a bill that specifically disapproves the rule.~~ September 1 of the calendar year of that session. If the agency adopting the rule specifies a later effective date than the date that would otherwise apply under this subsection, the later date applies. A permanent rule that is not approved by the Commission or that is specifically disapproved by a bill enacted into law before it becomes effective does not become effective.

A bill specifically disapproves a rule if it contains a provision that refers to the rule by appropriate North Carolina Administrative Code citation and states that the rule is disapproved. Notwithstanding any rule of either house of the General Assembly, any member of the General Assembly may introduce a bill during the first 30 legislative days of any regular session to disapprove a rule that has been approved by the Commission and that either has not become effective or has become effective by executive order under subsection (c) of this section.

…

(f) Technical Change. – A permanent rule for which no notice or hearing is required under G.S. 150B-21.5(a)(1) through (a)(5) or G.S. 150B-21.5(b) becomes effective on the first day of the month following the month the rule is approved by the Rules Review ~~Commission.~~Commission or Codifier of Rules, as applicable."

SECTION 2. This act becomes effective January 1, 2022, and applies to rules adopted on or after that date.