

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.B. 991
May 18, 2022
HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH10557-TQz-40

Short Title: ALJ Authority to Void Rules. (Public)

Sponsors: Representative Stevens.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW ADMINISTRATIVE LAW JUDGES TO VOID ADMINISTRATIVE
3 RULES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 150B-33(b) reads as rewritten:

6 "(b) An administrative law judge may:

7 ...

8 (9) Determine that a rule ~~as applied in a particular case~~ is void because (1) it is
9 not within the statutory authority of the agency, (2) is not clear and
10 unambiguous to persons it is intended to direct, guide, or assist, or (3) is not
11 reasonably necessary to enable the agency to fulfill a duty delegated to it by
12 the General Assembly.

13"

14 **SECTION 2.** This act is effective when it becomes law and applies to decisions
15 issued on or after that date.



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