

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 20-215.4. Violation of regulations a misdemeanor.</p> <p>The violation of any rule or regulation promulgated by the Division hereunder by any person, firm or corporation shall be a Class 3 misdemeanor. (1961, c. 505, s. 4; 1975, c. 716, s. 5; 1993, c. 539, s. 381; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Division of Motor Vehicles of the Department of Transportation</p> <p>Section .0200 of 19A NCAC 03A (Motor Carriers of Migratory Farm Workers).</p> <p>No current rules. Rules repealed effective 1991.</p>
<p>§ 20-327. Penalties for violating Article or regulations.</p> <p>Violation of any provision of this Article or any regulation promulgated pursuant hereto, shall constitute a Class 3 misdemeanor. (1965, c. 873; 1993, c. 539, s. 390; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Division of Motor Vehicles of the Department of Transportation</p> <p>Subchapter 03I (Licensing of Commercial Driver Education Training Schools and Instructors) and Subchapter 03J (Licensing of Commercial Truck Driver Training Schools and Instructors) of 19A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No Offense Code found.</p>
<p>§ 20-371. Penalties.</p> <p>(a) Any person violating the provisions of this Article or the regulations of the Department governing housemoving shall be guilty of a Class 1 misdemeanor.</p> <p>(b) The Department is hereby authorized in the name of the State to apply for relief by injunction, in the established manner provided in cases of civil procedure, without bond, to enforce the provisions of this Article, or to restrain any violation thereof. In such proceedings, it shall not be necessary to allege or prove either that an adequate remedy at law does not exist, or that substantial or irreparable damage would result from the continued violation thereof. (1977, c. 720, s. 16; 1993, c. 539, s. 392; 1994, Ex. Sess., c. 24, s. 14(c); 2008-89, s. 4.)</p>	<p>Department of Transportation</p> <p>No rules found.</p>
<p>§ 53-166. Scope of Article; evasions; penalties; loans in violation of Article void.</p> <p>...</p> <p>(c) Penalties; Commissioner to Provide and Testify as to Facts in His Possession. – Any person not exempt from this Article, or any officer, agent, employee, or representative thereof, who fails to comply with or who otherwise violates any of the provisions of this Article, or any regulation of the Banking Commission adopted pursuant to this Article, shall be guilty of a Class 1</p>	<p>Banking Commission</p> <p>Subchapter 03E of 04 NCAC (Licensees under NC Consumer Finance Act).</p>

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<p>misdemeanor. Each violation shall be considered a separate offense. It is the duty of the Commissioner of Banks to provide the district attorney of the court having jurisdiction of any offense under this subsection with all facts and evidence in the Commissioner's actual or constructive possession, and to testify as to these facts upon the trial of any person for the offense.</p> <p>....</p> <p>(1955, c. 1279; 1957, c. 1429, s. 8; 1961, c. 1053, s. 1; 1969, c. 1303, ss. 13, 14; 1973, c. 47, s. 2; c. 1042, s. 1; 1979, c. 33, s. 1; 1985, c. 154, ss. 6, 13; 1987, c. 444, s. 3; 1989, c. 17, ss. 1, 13; 1989 (Reg. Sess., 1990), c. 881, s. 1; 1993, c. 539, s. 425; 1994, Ex. Sess., c. 24, s. 14(c); 2006-243, s. 2; 2013-162, s. 1.)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 58-35-90. Violations; penalties.</p> <p>Any person who shall engage in the business referred to in this Article without first receiving a license, or who shall fail to secure a renewal of his license upon the expiration of the license year, or shall engage in the business herein referred to after the license has been suspended or revoked as herein provided, or who shall fail or refuse to furnish the information required of the Commissioner, or who shall willfully and knowingly enter false information on an insurance premium finance agreement, or who shall fail to observe the rules and regulations made by the Commissioner pursuant to this Article, shall be deemed guilty of a Class 1 misdemeanor. (1963, c. 1118; 1965, c. 1040; 1985, c. 666, s. 20; 1993, c. 539, s. 464; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Insurance</p> <p>Section .300 of 11 NCAC 13 (Insurance Premium Finance Companies).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 65-71. Penalties.</p> <p>(a) Except as provided in this subsection, a person violating any provisions of this Article, of any order or rule promulgated under this Article, or of any license issued by the Commission is guilty of a Class 1 misdemeanor. Each failure to deposit funds in a trust fund in accordance with this Article is a separate offense. A person who has failed to deposit funds in a trust fund in accordance with this Article and whose delinquent deposits equal or exceed twenty thousand dollars (\$20,000) is guilty of a Class I felony.</p> <p>....</p> <p>(1943, c. 644, s. 14; 1967, c. 1009, s. 13; 1975, c. 768, s. 1; 1991, c. 653, s. 9; 1993, c. 539, ss. 501, 1281; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Cemetery Commission</p> <p>Chapter 07 of 21 NCAC (Cemetery Commission).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 66-58.8. Criminal penalty.</p> <p>(a) Any person who willfully violates any provision of this Article, or who willfully violates any rule or order under this Article, with intent to defraud, is guilty of a Class I felony.</p> <p>....</p> <p>(1998-127, s. 1.)</p>	<p>Department of the Secretary of State</p> <p>Chapter 10 of 18 NCAC (Electronic Commerce Section).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p>

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	No offense code found.
<p>§ 74-24.14. Criminal penalties.</p> <p>Any person who (i) willfully violates any standard, order, notice, decision, rule, or regulation issued under authority of this Article, and said violation causes death or serious physical harm to another; (ii) knowingly makes any false statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this Article or required by any order, notice, or decision issued under this Article; (iii) knowingly distributes, sells, offers for sale, introduces, or delivers any equipment, machinery, article, or apparatus which is represented as complying with the provisions of this Article, or with any specification or regulation of the Commissioner applicable to such equipment, machinery, article, or apparatus and knowing it does not so comply, shall be guilty of a Class 2 misdemeanor. In any instance in which such offense is committed by a corporation, the officer or authorized representative of such corporation who knowingly permits such offense to be committed shall, upon conviction, be subject to the same fine or imprisonment, or both. (1975, c. 206, s. 14; 1993, c. 539, s. 553; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Labor</p> <p>Chapter 06 of 13 NCAC (Mine and Quarry Division).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 74-64. Penalties for violations.</p> <p>...</p> <p>(b) Criminal Penalties. – In addition to other penalties provided by this Article, any operator who engages in mining in willful violation of the provisions of this Article or of any rules promulgated hereunder or who willfully misrepresents any fact in any action taken pursuant to this Article or willfully gives false information in any application or report required by this Article shall be guilty of a Class 3 misdemeanor and, upon conviction thereof, shall only be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) for each offense. Each day of continued violation after written notification shall be considered a separate offense. (1971, c. 545, s. 19; 1979, c. 252, s. 2; 1981, c. 787, ss. 7, 8; 1987, c. 246, s. 1; c. 827, s. 85; 1989 (Reg. Sess., 1990), c. 1024, s. 16; 1993, c. 539, s. 555; 1994, Ex. Sess., c. 24, s. 14(c); 1993 (Reg. Sess., 1994), c. 568, s. 10; 1998-215, s. 42.)</p>	<p>Mining Commission</p> <p>Subchapters 05A, 05B, and 05F of Chapter 05 (Mining: Mineral Resources) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 74-87. Penalty for violations.</p> <p>...</p> <p>(c) Criminal Penalties. – In addition to other penalties provided by this Article, any person who engaged in exploration activity in willful violation of the provisions of this Article or of any rules promulgated under it or who willfully misrepresented any material fact in any action taken pursuant to this Article shall be guilty of a Class 3 misdemeanor and, upon conviction thereof, shall only be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000) for each offense. Each</p>	<p>Mining Commission</p> <p>Subchapter 05G (Uranium Exploration Regulations) of 15A NCAC 05.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p>

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day of continued violation after written notification shall be considered a separate offense. (1983, c. 279, s. 1; 1993, c. 539, s. 556; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 43.)	No offense code found.
<p>§ 74C-17. Enforcement.</p> <p>...</p> <p>(b) Any person, firm, association, or corporation or their agents and employees violating any of the provisions of this Chapter or knowingly violating any rule promulgated to implement this Chapter shall be guilty of a Class 1 misdemeanor. The Attorney General, or his representative, shall have concurrent jurisdiction with the district attorneys of this State to prosecute violations of this Chapter.</p> <p>....</p> <p>(1979, c. 818, s. 2; 1983, c. 794, s. 6; 1989, c. 759, s. 14; 1993, c. 539, s. 557; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 98.)</p>	<p>Private Protective Services Board</p> <p>Chapter 16 of 14B NCAC (Private Protective Services Board).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 74D-11. Enforcement.</p> <p>...</p> <p>(b) Any person, firm, association, corporation, or department or division of a firm, association or corporation, or their agents and employees violating any of the provisions of this Chapter or knowingly violating any rule promulgated to implement this Chapter shall be guilty of a Class 1 misdemeanor. The Attorney General, or his representative, shall have concurrent jurisdiction with the district attorneys of this State to prosecute violations of this Chapter.</p> <p>....</p> <p>(1983, c. 786, s. 1; 1989, c. 730, s. 8; 1991 (Reg. Sess., 1992), c. 953, s. 10; 1993, c. 539, s. 558; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 127; 2009-557, s. 7.)</p>	<p>Alarm Systems Licensing Board</p> <p>Chapter 17 of 14B NCAC (Alarm Systems Licensing Board).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 77-37. Regulations for Lake Wylie and shoreline area.</p> <p>(a) Except as limited in subsection (b) of this section, by restrictions in any joint ordinance and by other supervening provisions of law, the Commission may make regulations applicable to Lake Wylie and its shoreline area concerning all matters relating to or affecting the use of Lake Wylie. These regulations may not conflict with or supersede provisions of general or special acts or of regulations of state agencies promulgated under the authority of general law. No regulations adopted under the provisions of this section may be adopted by the Commission except after public hearing, with publication of notice of the hearing in a newspaper of general circulation in the three counties at least 10 days before the hearing. In lieu of or in addition to passing regulations supplementary to state law and regulations concerning the operation of vessels on Lake Wylie, the Commission may, after public notice, request that the North Carolina Wildlife Resources Commission and the South Carolina Department of Wildlife and Marine Resources pass local regulations on this subject in accordance with the procedure established by appropriate state law.</p>	<p>Lake Wylie Marine Commission</p> <p>Rules are not published in the Administrative Code. This commission appears to be local.</p> <p>No offense code found.</p>

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(b) Violation of any regulation of the Commission commanding or prohibiting an act is a Class 3 misdemeanor. (1987, c. 683, s. 8; 1987 (Reg. Sess., 1988), c. 897, s. 8; 1993, c. 539, s. 583; 1994, Ex. Sess., c. 24, s. 14(c).)	
§ 77-57. Regulatory authority. (a) Except as limited in subsection (b) below, by restrictions in any joint ordinance, and by other supervening provisions of law, the Commission may make regulations applicable to High Rock Lake and its shoreline area concerning all matters relating to or affecting the use of High Rock Lake. These regulations may not conflict with or supersede provisions of general or special acts or of regulations of State agencies promulgated under the authority of general law. No regulations adopted under the provisions of this section may be adopted by the Commission except after public hearing, with publication of notice of the hearing in a newspaper of general circulation in the two counties at least 10 days before the hearing. In lieu of or in addition to passing regulations supplementary to State law and regulations concerning the operation of vessels on High Rock Lake, the Commission may, after public notice, request that the Wildlife Resources Commission pass local regulations on this subject in accordance with the procedure established by appropriate State law. (b) Violation of any regulation of the Commission commanding or prohibiting an act shall be a Class 3 misdemeanor. (1993, c. 355, s. 8; 1993 (Reg. Sess., 1994), c. 767, s. 27.)	High Rock Lake Marine Commission Rules are not published in the Administrative Code. This commission appears to be local. No offense code found.
§ 77-77. Regulatory authority. (a) Except as limited in subsection (b) of this section, by restrictions in any joint resolution, and by other supervening provisions of law, the Commission may make regulations applicable to Mountain Island Lake and its shoreline area concerning all matters relating to or affecting the use of Mountain Island Lake. These regulations may not conflict with or supersede provisions of general or special acts or of regulations of State agencies promulgated under the authority of general law. No regulations adopted under this section may be adopted by the Commission except after public hearing, with publication of notice of the hearing being given in a newspaper of general circulation in the three counties at least 10 days before the hearing. In lieu of or in addition to passing regulations supplementary to State law and regulations concerning the operation of vessels on Mountain Island Lake, the Commission may, after public notice, request that the Wildlife Commission pass local regulations on this subject in accordance with the procedure established by appropriate State law. (b) Violation of any regulation of the Commission commanding or prohibiting an act shall be a Class 3 misdemeanor. (1997-257, s. 8.)	Mountain Island Lake Marine Commission Rules are not published in the Administrative Code. This commission appears to be local. No offense code found.

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<p>§ 77-87. Regulatory authority.</p> <p>(a) Except as limited in subsection (b) of this section, by restrictions in any municipal ordinance, and by other supervening provisions of law, the Commission may make regulations applicable to Lake Lure and its shoreline area concerning all matters relating to or affecting the use of Lake Lure. These regulations may not conflict with provisions of general or special acts or of regulations of State agencies promulgated under the authority of general law. No regulations adopted under the provisions of this section may be adopted by the Commission except after public hearing, with publication of notice of the hearing in a newspaper of general circulation in Rutherford County at least 10 days before the hearing. In lieu of or in addition to passing regulations supplementary to State law and regulations concerning the operation of vessels on Lake Lure, the Commission may, after public notice, request that the Wildlife Resources Commission pass local regulations on this subject in accordance with the procedure established by appropriate State law.</p> <p>(b) Violation of any regulation of the Commission commanding or prohibiting an act shall be a Class 3 misdemeanor.</p> <p>.... (2003-332, s. 1.)</p>	<p>Lake Lure Marine Commission</p> <p>Rules are not published in the Administrative Code. This commission appears to be local.</p> <p>No offense code found.</p>
<p>§ 78A-57. Criminal penalties.</p> <p>...</p> <p>(a1) Any person who willfully violates any rule or order under this Chapter is guilty of a Class I felony. No person may be imprisoned for the violation of any rule if the person proves that the person had no knowledge of the rule. It is an affirmative defense to a charge of violating an order under this Chapter that the person had no knowledge of the order.</p> <p>.... (1925, c. 190, s. 23; 1927, c. 149, s. 23; 1955, c. 436, s. 10; 1971, c. 572, s. 2; 1973, c. 47, s. 2; c. 1380; 1987, c. 849, s. 7; 1991, c. 456, s. 6; 2001-436, s. 12; 2003-413, s. 11.)</p>	<p>Department of the Secretary of State</p> <p>Chapter 06 of 18 NCAC (Securities Division).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 78C-39. Criminal penalties.</p> <p>...</p> <p>(a1) Any person who willfully violates any rule or order under this Chapter is guilty of a Class I felony. No person may be imprisoned for the violation of any rule if the person proves that the person had no knowledge of the rule. It is an affirmative defense to a charge of violating an order under this Chapter that the person had no knowledge of the order.</p> <p>.... (1987 (Reg. Sess., 1988), c. 1098, s. 1; 1991, c. 456, s. 9; 2003-413, s. 25.)</p>	<p>Department of the Secretary of State</p> <p>Chapter 06 of 18 NCAC (Securities Division).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 78D-24. Criminal penalties.</p>	<p>Department of the Secretary of State</p>

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<p>...</p> <p>(b) Any person convicted of violating a rule or order under this Chapter may be fined, but may not be imprisoned, if the person proves he had no knowledge of the rule or order.</p> <p>....</p> <p>(1989, c. 634, s. 1; 2003-413, s. 26.)</p>	<p>Chapter 06 of 18 NCAC (Securities Division).</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 80-66. Violation a misdemeanor.</p> <p>Any person who violates any provision of this Article or any rule or regulation of the Board promulgated hereunder shall be guilty of a Class 2 misdemeanor. (1935, c. 232, s. 11; 1975, c. 261, s. 1; 1993, c. 539, s. 592; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Section .0400 (Livestock Branding) of 02 NCAC 52E</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 81A-29. Offenses and penalties.</p> <p>Any person who violates any provision of this section or any provision of this Chapter or regulations promulgated pursuant thereto for which a specific penalty has not been prescribed shall be guilty of a Class 2 misdemeanor upon a first conviction. Upon a subsequent conviction thereof, said person shall be guilty of a Class 1 misdemeanor. No person shall:</p> <p>(1) Use or have in possession for use in commerce any incorrect weight or measure.</p> <p>(2) Remove any tag, seal, or mark from any weight or measure without specific written authorization from the Commissioner or his authorized agent.</p> <p>(3) Hinder or obstruct any weights-and-measures official in the performance of his duties.</p> <p>(4) Impersonate in any way any employee of the North Carolina Department of Agriculture and Consumer Services designated by the Commissioner to enforce any part of this Chapter.</p> <p>(5) Use in retail trade, except in the preparation of packages put up in advance of sale, a weighing or measuring device which is not so positioned so that its indications may be accurately read and the weighing or measuring operation observed from some position which may be reasonably assumed by a customer.</p> <p>(6) Manufacture, use or possess a counterfeit seal, tag, mark, certificate, label or decal representing, imitating or copying the same issued by the Commissioner under this Chapter. (1927, c. 261, ss. 14, 15, 19; 1945, c. 280, s. 1; 1949, c. 984; 1975, c. 544; 1981, c. 607, s. 1; 1993, c. 539, s. 593; 1994, Ex. Sess., c. 24, s. 14(c); 1997-261, s. 8.)</p>	<p>Board of Agriculture</p> <p>Sections .0100, .0200, .0300, .0400, .0500, and .0600 of Chapter 38 (Standards Division) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

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<p>§ 90-48. Rules and regulations of Board; violation a misdemeanor.</p> <p>The North Carolina State Board of Dental Examiners shall be and is hereby vested, as an agency of the State, with full power and authority to enact rules and regulations governing the practice of dentistry within the State, provided such rules and regulations are not inconsistent with the provisions of this Article. Such rules and regulations shall become effective 30 days after passage, and the same may be proven, as evidence, by the president and/or the secretary-treasurer of the Board, and/or by certified copy under the hand and official seal of the secretary-treasurer. A certified copy of any rule or regulation shall be receivable in all courts as prima facie evidence thereof if otherwise competent, and any person, firm, or corporation violating any such rule, regulation, or bylaw shall be guilty of a Class 2 misdemeanor, and each day that this section is violated shall be considered a separate offense.</p> <p>The Board shall issue every two years to each licensed dentist a compilation or supplement of the Dental Practice Act and the Board rules and regulations, and upon written request therefor by such licensed dentist, a directory of dentists. (1935, c. 66, s. 19; 1957, c. 592, s. 6; 1971, c. 755, s. 12; 1993, c. 539, s. 620; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Dental Examiners</p> <p>Chapter 16 of 21 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 90-124. Rules and regulations of Board; violation a misdemeanor.</p> <p>Rules and regulations adopted by the Board shall become effective 30 days after passage, and the same may be proven, as evidence, by the president and/or the secretary-treasurer of the Board, and/or by certified copy under the hand and seal of the secretary-treasurer. A certified copy of any rule or regulation shall be receivable in all courts as prima facie evidence thereof if otherwise competent, and any person, firm, or corporation violating any such rule or regulation shall be guilty of a Class 2 misdemeanor, and each day that this section is violated shall be considered a separate offense.</p> <p>The Board shall issue every two years to each licensed optometrist a compilation or supplement of the Optometric Practice Act and the Board Rules and Regulations, and upon written request by such licensed optometrist, a directory of optometrists. (1909, c. 444, s. 13; C.S., s. 6697; 1935, c. 63; 1953, c. 189; c. 1041, s. 12; 1955, c. 996; 1973, c. 800, s. 24; 1993, c. 539, s. 629; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Examiners in Optometry</p> <p>Chapter 42 of 21 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 90-288. Misdemeanor.</p> <p>It shall be unlawful and constitute a Class 1 misdemeanor,</p> <ol style="list-style-type: none"> (1) For any person to act or serve in the capacity as, or hold himself out to be, a nursing home administrator, or use any title, sign, or other indication that he is a nursing home administrator, unless he is the holder of a valid license as a nursing home administrator, issued in accordance with the provisions of this Article, and (2) For any person to violate any of the provisions of this Article or any rules and regulations issued pursuant thereto. (1969, c. 843, s. 1; 1993, c. 539, s. 649; 1994, Ex. Sess., c. 24, s. 14(c).) 	<p>Board of Examiners for Nursing Home Administrators</p> <p>Chapter 37 of 21 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

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<p>§ 90A-66. Violations; penalty; injunction.</p> <p>Any person violating any of the provisions of this Article or of the rules and regulations adopted by the Board shall be guilty of a Class 1 misdemeanor. The Board may appear in its own name in the superior courts in an action for injunctive relief to prevent violation of this Article and the superior courts shall have power to grant such injunctions regardless of whether criminal prosecution has been or may be instituted as a result of such violations. Actions under this section shall be commenced in the superior court district or set of districts as defined in G.S. 7A-41.1 in which the respondent resides or has his principal place of business or in which the alleged acts occurred. (1959, c. 1271, s. 13; 1981 (Reg. Sess., 1982), c. 1274, s. 2; 1987 (Reg. Sess., 1988), c. 1037, s. 104; 1993, c. 539, s. 653; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Environmental Health Specialist Examiners</p> <p>Chapter 62 of 21 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 95-139. Criminal penalties.</p> <p>(a) Any employer who willfully violates any standard, rule, regulation or order promulgated pursuant to the authority of this Article, and the violation causes the death of any employee 18 years of age or older, shall be guilty of a Class 2 misdemeanor, which may include a fine of not more than ten thousand dollars (\$10,000).</p> <p>(b) Any employer who willfully violates any standard, rule, regulation, or order promulgated pursuant to the authority of this Article, and the violation causes the death of any employee under 18 years of age, shall be guilty of a Class 2 misdemeanor, which may include a fine of not more than twenty thousand dollars (\$20,000).</p> <p>(c) If an employer is convicted of more than one violation of subsection (a) or (b) of this section, the subsequent violation shall be penalized as follows:</p> <p>(1) The employer shall be guilty of a Class 1 misdemeanor which may include a fine of not more than twenty thousand dollars (\$20,000) if the subsequent violation results in the death of an employee 18 years of age or older.</p> <p>(2) The employer shall be guilty of a Class 1 misdemeanor which may include a fine of not more than forty thousand dollars (\$40,000) if the subsequent violation results in the death of an employee under 18 years of age.</p> <p>....</p> <p>(1973, c. 295, s. 14; 1993, c. 539, s. 671; 1994, Ex. Sess., c. 24, s. 14(c); 2009-351, s. 5.)</p>	<p>Occupational Safety and Health Division of the Department of Labor</p> <p>Chapter 07 of 13 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 96-18. Penalties.</p> <p>(a) (1) It shall be unlawful for any person to make a false statement or representation knowing it to be false or to knowingly fail to disclose a material fact to obtain or increase any benefit under this Chapter or under an employment security law of any other state, the federal government, or of a foreign government, either for himself or any other person. Records, with any necessary authentication thereof, required in the prosecution of any criminal action brought by another state or foreign government for misrepresentation to obtain benefits under the</p>	<p>Division of Employment Security of the Department of Commerce</p> <p>Chapter 24 of 04 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p>

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<p>law of this State shall be made available to the agency administering the employment security law of any such state or foreign government for the purpose of such prosecution. Photostatic copies of all records of agencies of other states or foreign governments required in the prosecution of any criminal action under this section shall be as competent evidence as the originals when certified under the seal of such agency, or when there is no seal, under the hand of the keeper of such records.</p> <p>(2) A person who violates this subsection shall be found guilty of a Class I felony if the value of the benefit wrongfully obtained is more than four hundred dollars (\$400.00).</p> <p>(3) A person who violates this subsection shall be found guilty of a Class 1 misdemeanor if the value of the benefit wrongfully obtained is four hundred dollars (\$400.00) or less.</p> <p>(b) Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation, knowing it to be false, or who knowingly fails to disclose a material fact to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto or to avoid or reduce any contributions or other payment required from an employing unit under this Chapter, or who willfully fails or refuses to furnish any reports required hereunder, or to produce or permit the inspection or copying of records as required hereunder, shall be guilty of a Class 1 misdemeanor; and each such false statement or representation or failure to disclose a material fact, and each day of such failure or refusal shall constitute a separate offense.</p> <p>...</p> <p>(c) Any person who shall willfully violate any provisions of this Chapter or any rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of this Chapter, or for which a penalty is neither prescribed herein nor provided by any other applicable statute, shall be guilty of a Class 1 misdemeanor, and each day such violation continues shall be deemed to be a separate offense.</p> <p>....</p> <p>(Ex. Sess. 1936, c. 1, s. 16; 1943, c. 319; c. 377, ss. 29, 30; 1945, c. 552, s. 34; 1949, c. 424, s. 26; 1951, c. 332, s. 16; 1953, c. 401, ss. 1, 22; 1955, c. 385, s. 9; 1959, c. 362, ss. 19, 20; 1965, c. 795, ss. 23, 24; 1971, c. 673, s. 31; 1977, c. 727, s. 55; 1979, c. 660, ss. 23-25; 1981, c. 160, s. 33; 1983, c. 625, s. 15; 1985, c. 552, s. 22; 1987, c. 103, s. 4; 1989, c. 583, ss. 13, 14; 1993, c. 343, s. 7; c. 539, ss. 674-676; 1994, Ex. Sess., c. 24, s. 14(c); 2003-67, s. 2; 2005-410, s. 6; 2011-401, s. 2.19; 2012-134, ss. 3(d), 4(a)-(c); 2013-2, s. 9(d); 2013-224, s. 19.)</p>	<p>Several offense codes were found for violations of G.S. 96-18. One of these (Offense Code: 2665) is for subsection (c) of G.S. 96-18 and is listed as "Empl Sec Law Violation". It is unclear whether this offense code refers to violations of the statutes or violations of the rules.</p> <p>Under this offense code, in FY 2018-2019, 6 cases were filed in superior court and 160 cases were filed in district court. In FY 2017-2018, 0 cases were filed in superior court and 574 cases were filed in district court. In FY 2016-2017, 24 cases were filed in superior court and 396 cases were filed in district court.</p>
<p>§ 106-22. Joint duties of Commissioner and Board.</p> <p>The Commissioner of Agriculture, by and with the consent and advice of the Board of Agriculture shall:</p> <p>...</p>	<p>Department of Agriculture and Consumer Services</p> <p>Scattered sections in Chapter 52C (Veterinary) of 02 NCAC.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(3) Cattle and Cattle Diseases. – With investigations adapted to promote the improvement of milk and beef cattle, and especially investigations relating to the diseases of cattle and other domestic animals, and shall publish and distribute from time to time information relative to any contagious diseases of stock, and suggest remedies therefor, and shall have power in such cases to quarantine the infected animals and to regulate the transportation of stock in this State, or from one section of it to another, and may cooperate with the United States Department of Agriculture in establishing and maintaining cattle districts or quarantine lines, to prevent the infection of cattle from splenic or Spanish fever. Any person willfully violating such regulations shall be liable in a civil action to any person injured, and for any and all damages resulting from such conduct, and shall also be guilty of a Class 1 misdemeanor;</p> <p>.... (1901, c. 479, s. 4; Rev., ss. 3294, 3724, 3944; 1917, c. 16; C.S., s. 4688; 1939, c. 173; 1973, c. 47, s. 2; 1979, c. 344, s. 1; 1981, c. 495, s. 9; 1989, c. 544, s. 4; 1993, c. 539, ss. 737, 738; c. 561, s. 116(d); 1994, Ex. Sess., c. 24, s. 14(c); 2011-145, ss. 13.25(i), (l), 31.7; 2011-201, s. 1; 2011-391, s. 33(a); 2013-360, s. 13.1(a).)</p>	<p>Overall, the rules do not appear to be duplicative of the statute.</p> <p>No offense code found.</p>
<p>§ 106-22. Joint duties of Commissioner and Board.</p> <p>The Commissioner of Agriculture, by and with the consent and advice of the Board of Agriculture shall:</p> <p>...</p> <p>(5) Insect Pests. – With investigations relative to the ravages of insects and with the dissemination of such information as may be deemed essential for their abatement, and making regulations for destruction of such insects. The willful violation of any of such regulations by any person shall be a Class 1 misdemeanor;</p> <p>.... (1901, c. 479, s. 4; Rev., ss. 3294, 3724, 3944; 1917, c. 16; C.S., s. 4688; 1939, c. 173; 1973, c. 47, s. 2; 1979, c. 344, s. 1; 1981, c. 495, s. 9; 1989, c. 544, s. 4; 1993, c. 539, ss. 737, 738; c. 561, s. 116(d); 1994, Ex. Sess., c. 24, s. 14(c); 2011-145, ss. 13.25(i), (l), 31.7; 2011-201, s. 1; 2011-391, s. 33(a); 2013-360, s. 13.1(a).)</p>	<p>Department of Agriculture and Consumer Services</p> <p>Scattered sections in Chapter 60 (Division of Forest Resources) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statute.</p> <p>No offense code found.</p>
<p>§ 106-50.41. Penalties.</p> <p>Any person violating the provisions of this Article or the regulations adopted thereunder, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Commissioner each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties. (1977, c. 233, s. 14; 1993, c. 539, s. 739; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>No rules found.</p>
<p>§ 106-65.48. Criminal penalties; violation of law or regulations.</p>	<p>Board of Agriculture</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>If anyone shall interfere with or attempt to interfere with the Commissioner or any of his agents, while engaged in the performance of his duties under this Article, or shall violate any provision of this Article or any regulation of the Board of Agriculture adopted pursuant to this Article, he shall be guilty of a Class 3 misdemeanor. Each day's violation shall constitute a separate offense. (1973, c. 713, s. 7; 1993, c. 539, s. 741; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Chapter 48 (Plant Industry) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-65.78. Penalties.</p> <p>(a) Any person who shall violate any of the provisions of this Article or the regulations promulgated hereunder, or who shall alter, forge or counterfeit, or use without authority, any certificate or permit or other document provided for in this Article or in the regulations promulgated hereunder, shall be guilty of a Class 1 misdemeanor.</p> <p>(b) Any person who shall, except in compliance with the regulations of the Commissioner, move any regulated article into this State from any other state which the Commissioner found in such regulations is infested by the boll weevil, shall be guilty of a Class 1 misdemeanor. (1975, c. 958, s. 12; 1993, c. 539, s. 742; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Agriculture and Consumer Services</p> <p>Section .0600 (Boll Weevil) of 02 NCAC 48A.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-65.105D. Violation a misdemeanor.</p> <p>(a) Except as otherwise provided, any person, firm, or corporation that violates any of the provisions of this Article, or any of the rules, regulations, or standards promulgated hereunder, shall be deemed guilty of a Class 2 misdemeanor.</p> <p>....</p> <p>(2016-113, s. 1(a).)</p>	<p>Board of Agriculture</p> <p>Chapter 61 (Sanitation of Bedding) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-92.14. Penalties for violations of this Article.</p> <p>Any person convicted of violating any provision of this Article or the rules and regulations promulgated thereunder shall be guilty of a Class 3 misdemeanor and fined not less than two hundred dollars (\$200.00) nor more than one thousand dollars (\$1,000) in the discretion of the court. Nothing in this Article shall be construed as requiring the Commissioner or his authorized agent to report for prosecution or for the institution of seizure proceedings as a result of minor violations of the Article when he believes that the public interest will best be served by a suitable written warning. (1979, c. 590; 1993, c. 539, s. 743; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Subchapter 48D (Liming Materials and Landplaster) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 106-124. Violations made misdemeanor.</p> <p>(a) Any person, firm or corporation violating any provision of this Article, or any regulation of the Board adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Commissioner, or his duly designated agent, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.</p> <p>....</p> <p>(1939, c. 320, s. 5; 1975, c. 614, s. 6; 1993, c. 539, s. 744; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Chapter 09 (Food and Drug Protection Division) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-196. Violation of Article or regulations a misdemeanor.</p> <p>Any person who violates any provision of this Article, or of the rules and regulations made under the Article for carrying out its provisions, or fails or refuses to comply with any requirement thereof, or who wilfully interferes with agents or employees in the execution, or on account of the execution, of his or their duties, shall be guilty of a Class 3 misdemeanor. (1919, c. 325, ss. 13, 14; C.S., s. 4792; 1993, c. 539, s. 747; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Subchapters A, B, C, D, and F of Chapter 43 (Markets) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-202.19. Unlawful acts; penalties; enforcement.</p> <p>...</p> <p>(a1) Any person convicted of violating this Article, or any rule of the Board adopted pursuant to this Article shall be guilty of a Class 2 misdemeanor. Each illegal movement or distribution of a protected plant shall constitute a separate violation. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Board, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.</p> <p>....</p> <p>(1979, c. 964, s. 1; 1989, c. 508, s. 2; 1993, c. 539, s. 749; 1994, Ex. Sess., c. 24, s. 14(c); 1997-261, ss. 40, 41; 1998-215, s. 9; 2001-487, s. 43(b); 2007-456, ss. 4, 5; 2012-200, s. 18.)</p>	<p>Plant Conservation Board</p> <p>Subchapter 48F (Plant Conservation) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-266. Violation made misdemeanor.</p> <p>Any person, firm, or corporation violating any of the provisions of this Article and/or any rule, regulation or order promulgated in accordance with the provisions of this Article shall be guilty of a Class 1 misdemeanor. (1941, c. 162, s. 7; 1951, c. 1133, s. 4; 1993, c. 539, s. 753; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Agriculture and Consumer Services</p> <p>No rules found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 106-268.1. Penalties.</p> <p>Any person, firm or corporation violating any of the provisions of this Article, or any of the rules, regulations or standards promulgated hereunder, shall be deemed guilty of a Class 2 misdemeanor. (1951, c. 1121, s. 1; 1993, c. 539, s. 756; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Agriculture and Consumer Services and Board of Agriculture</p> <p>Subchapter 09K (Sampling and Testing of Milk and Cream: Frozen Desserts) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-277.24. Penalty for violations.</p> <p>Any person, firm or corporation violating any provision of this Article or any rule or regulation adopted pursuant thereto shall be guilty of a Class 3 misdemeanor and upon conviction thereof shall pay a fine of not more than ten thousand dollars (\$10,000). This fine shall not apply, however, to a retailer with respect to any transaction where the seed sold by the retailer was acquired by the retailer in a sealed container or package, or the retailer did not have reasonable knowledge that the seed sold was in violation of this Article. In determining the amount of the fine, the court shall consider the retail value of the seed sold in violation of the law, and in cases involving the unlawful sale of seed protected under the federal Plant Variety Protection Act, the court shall order the payment of restitution to any injured party for any losses incurred as a result of the unlawful sale. (1941, c. 114, s. 8; 1945, c. 828; 1949, c. 725; 1963, c. 1182; 1993, c. 539, s. 758; 1994, Ex. Sess., c. 24, s. 14(c); 2013-345, s. 1(b).)</p>	<p>Board of Agriculture</p> <p>Subchapter 48C (Seeds) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-284.20. Interference with Commissioner, etc., or other violation a misdemeanor; penalties.</p> <p>If anyone shall interfere with or attempt to interfere with the Commissioner or any of his agents, while engaged in the performance of his duties under this law or shall violate any provision of this law or any rule or regulation of the Board of Agriculture adopted pursuant to this law, he shall be guilty of a Class 1 misdemeanor. Each day's violation shall constitute a separate offense. (1959, c. 91, s. 7; 1973, c. 1370, s. 6; 1993, c. 539, s. 759; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Chapter 48A (Plant Protection) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-284.44. Penalties; enforcement of Article; judicial review; confidentiality of information.</p> <p>(a) Any person who shall be adjudged to have violated any provision of this Article, or any regulation of the Board adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates</p>	<p>Board of Agriculture</p> <p>Subchapter 09E (Feed) of 02 NCAC.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>any provision of this Article after written notice from the Commissioner, or his duly designated agent, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.</p> <p>.... (1973, c. 47, s. 2; c. 771, s. 15; c. 1331, s. 3; 1987, c. 827, s. 1; 1993, c. 539, ss. 760, 761; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-307. Violation of proclamation or rules.</p> <p>Any person, firm, or corporation violating the terms of the proclamation of the Governor, or any rule or regulation made by the Commissioner of Agriculture in pursuance thereof, shall be guilty of a Class 2 misdemeanor. (1915, c. 174, s. 4; C.S., s. 4874; 1969, c. 606, s. 1; 1993, c. 539, s. 762; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Agriculture and Consumer Services</p> <p>No rules found.</p>
<p>§ 106-307.6. Violation made misdemeanor.</p> <p>Any person, firm or corporation who shall violate any provisions set forth in G.S. 106-307.1 to 106-307.5 or any rule or regulation duly established by the State Board of Agriculture shall be guilty of a Class 2 misdemeanor. (1943, c. 640, s. 6; 1969, c. 606, s. 1; 1993, c. 539, s. 763; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Rules are mostly in Subchapters A and B of Chapter 52 (Veterinary Division) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-321. Penalties for violation.</p> <p>Any person, firm or corporation who shall violate any provision set forth in this Article or any rule or regulation duly established by the State Board of Agriculture or emergency rules and regulations established by the Commissioner of Agriculture shall be guilty of a Class 1 misdemeanor. (1941, c. 373, s. 5; 1955, c. 424, s. 4; 1993, c. 539, s. 769; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture and Department of Agriculture and Consumer Services</p> <p>Subchapters A and B of Chapter 52 (Veterinary Division) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p> <p>**Please note that G.S. 106-307, 106-307.6, 106-321, 106-349, 106-362, 106-397, 106-405.9, and 106-405.19 are all contained in the same article.**</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 106-349. Violation of law a misdemeanor.</p> <p>Any person or persons who shall violate any provision set forth in G.S. 106-336 to 106-350, or any rule or regulation duly established by the State Board of Agriculture or any officer or inspector who shall willfully fail to comply with any provisions of this law, shall be guilty of a Class 1 misdemeanor. (1921, c. 177, s. 14; C.S., s. 4895(n); 1993, c. 539, s. 770; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Scattered sections in Chapter 52 (Veterinary Division) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-362. Penalty for violation.</p> <p>Any person, firm or corporation who shall violate any provisions set forth in G.S. 106-351 to 106-363 or any rule or regulation duly established by the State Board of Agriculture, or any officer or inspector who shall willfully fail to comply with any provision of G.S. 106-351 to 106-363 shall be guilty of a Class 1 misdemeanor. (1923, c. 146, s. 13; C.S., s. 4895(bb); 1993, c. 539, s. 772; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>02 NCAC 52B .0204 (Importation Requirements: Cattle)</p> <p>The rule does not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-397. Violation made misdemeanor.</p> <p>Any person or persons who shall violate any provision set forth in G.S. 106-388 to 106-398, or any rule or regulation duly established pursuant to this Article by the State Board of Agriculture or any inspector who shall willfully fail to comply with any provisions of G.S. 106-388 to 106-398, shall be guilty of a Class 1 misdemeanor. (1937, c. 175, s. 11; 1967, c. 511; 1993, c. 539, s. 773; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Scattered sections in Chapter 52 (Veterinary Division) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-405.9. Penalties.</p> <p>Any person, firm or corporation who shall knowingly violate any provisions set forth in this Part or any rule or regulation duly established by the State Board of Agriculture, or any officer or inspector who shall willfully fail to comply with any provisions of this Part shall be guilty of a Class 1 misdemeanor. Such person, firm, or corporation may be enjoined from continuing such violation. (1953, c. 720, s. 9; 1993, c. 539, s. 777; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Subchapter 52H (Garbage Fed Swine) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 106-405.19. Violation made misdemeanor.</p> <p>Any person who shall willfully move, direct the movement, or allow to be moved, from the premises where quartered any animal or animals known to be infected with equine infectious anemia, or under quarantine because of suspected exposure to equine infectious anemia, or who shall violate any provision of this Part or any rule or regulation promulgated by the Board of Agriculture under this Part shall be guilty of a Class 1 misdemeanor. (1973, c. 1198, s. 5; 1993, c. 539, s. 778; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Rules are mostly in Section .0400 (Equine Infectious Anemias (EIA)) of 02 NCAC 52B.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-417. Violation made misdemeanor; responsibility for health, etc., of animals.</p> <p>Any person, firm, or corporation who shall knowingly violate any provisions set forth in this Article or any rule or regulation duly established by the State Board of Agriculture, or any officer or inspector who shall willfully fail to comply with any provisions of this Article, shall be guilty of a Class 1 misdemeanor. A market operating under this Article shall not be responsible for the health or death of an animal sold through such market if the provisions of this Article have been complied with. (1941, c. 263, s. 12; 1943, c. 724, s. 6; 1967, c. 894, s. 14; 1993, c. 539, s. 781; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Chapter 52E (Marketing of Livestock) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-423.1. Criminal penalties; violation of laws or regulations.</p> <p>If anyone shall attempt to prevent inspection of his premises as provided in the preceding sections, or shall otherwise interfere with the Commissioner of Agriculture, or any of his agents, while engaged in the performance of his duties under this Article, or shall violate any provisions of this Article or any regulations of the Board of Agriculture adopted pursuant to this Article, he shall be guilty of a Class 3 misdemeanor. Each day's violation shall constitute a separate offense. (1957, c. 985; 1993, c. 539, s. 782; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Numerous rules in Subchapter 48A (Plant Protection) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-549. Violation a misdemeanor.</p> <p>Any person, firm or corporation who shall willfully violate any provision of this Article or any rule or regulation duly established by authority of this Article, shall be guilty of a Class 2 misdemeanor. (1945, c. 616, s. 11; 1969, c. 464; 1993, c. 539, s. 798; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Rules are mostly in Section .0500 (Poultry Diseases) and Section .0600 (Poultry: Hatcheries: Pullorum Disease) of 02 NCAC 52B.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	No offense code found.
<p>§ 106-549.27. Exemptions from Article.</p> <p>(a) The provisions of this Article requiring inspection of the slaughter of animals and the preparation of the carcasses, parts thereof, meat and meat food products at establishments conducting such operations shall not</p> <p>(1) Apply to the slaughtering by any person of animals of his own raising, and the preparation by him and transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of such animals exclusively for use by him and members of his household and his nonpaying guests and employees; nor</p> <p>(2) To the custom slaughter by any person, firm, or corporation of cattle, sheep, swine, fallow deer, red deer, bison, or goats delivered by the owner thereof for such slaughter, and the preparation by such slaughterer and transportation in intrastate commerce of the carcasses, parts thereof, meat and meat food products of such animals, exclusively for use, in the household of such owner, by him, and members of his household and his nonpaying guests and employees: Provided, that all carcasses, parts thereof, meat and meat food products derived from custom slaughter shall be identified as required by the Commissioner, during all phases of slaughtering, chilling, cooling, freezing, packing, meat canning, rendering, preparation, storage and transportation; provided further, that the custom slaughterer does not engage in the business of buying or selling any carcasses, parts thereof, meat or meat food products of any cattle, sheep, swine, goats, fallow deer, red deer, bison, or equines, capable of use as human food, unless the carcasses, parts thereof, meat or meat food products have been inspected and passed and are identified as having been inspected and passed by the Commissioner or the United States Department of Agriculture.</p> <p>(b) The provisions of this Article requiring inspection of the slaughter of animals and the preparation of carcasses, parts thereof, meat and meat food products shall not apply to operations of types traditionally and usually conducted at retail stores and restaurants, when conducted at any retail store or restaurant or similar retail-type establishment for sale in normal retail quantities or service of such articles to consumers at such establishments. Meat food products coming under this subsection may be stored, processed, or prepared at any freezer locker plant provided such meat food products are identified and kept separate and apart from other meat food products bearing the official mark of inspection while in the freezer locker plant.</p> <p>(c) In order to accomplish the objectives of this Article, the Commissioner shall exempt any other operations which the Commissioner shall determine would best be exempted to further the purposes of this Article, to the extent such exemptions conform to the Federal Meat Inspection Act and the regulations thereunder.</p>	<p>Board of Agriculture</p> <p>Rules found in Subchapter A (Rules and Regulations Adopted by Reference) and Subchapter D (Meat and Poultry Inspection) of 02 NCAC 52.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(d) The slaughter of animals and preparation of articles referred to in paragraphs (a)(2) and (b) of this section shall be conducted in accordance with such sanitary conditions as the Board may by regulations prescribe. Willful violation of any such regulation is a Class 2 misdemeanor.</p> <p>(e) The adulteration and misbranding provisions of this title, other than the requirement of the inspection legend, shall apply to articles which are not required to be inspected under this section. (1969, c. 893, s. 13; 1971, c. 54, ss. 1, 2; 1991, c. 317, s. 13; 1993, c. 539, s. 799; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 194, s. 10; 1997-142, s. 13.)</p> <p>§ 106-549.28. Regulation of storage of meat.</p> <p>The Board may by regulations prescribe conditions under which carcasses, parts of carcasses, meat, and meat food products of cattle, sheep, swine, goats, fallow deer, red deer, bison, horses, mules, or other equines, capable of use as human food, shall be stored or otherwise handled by any person, firm, or corporation engaged in the business of buying, selling, freezing, storing, or transporting, in or for intrastate commerce, such articles, whenever the Board deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Willful violation of any such regulation is a Class 2 misdemeanor. (1969, c. 893, s. 14; 1991, c. 317, s. 14; 1993, c. 539, s. 800; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 194, s. 11; 1997-142, s. 14.)</p> <p>§ 106-549.35. Punishment for violation.</p> <p>(a) Any person, firm, or corporation who violates any provision of this or the previous Article or any regulation of the Board for which no other criminal penalty is provided by this or the previous Article is guilty of a Class 2 misdemeanor; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in G.S. 106-549.15(1)h, such person, firm or corporation is guilty of a Class H felony which may include a fine of not more than ten thousand dollars (\$10,000). Provided, that no person, firm, or corporation shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this or the previous Article if such receipt was made in good faith, unless such person, firm, or corporation refuses to furnish on request of a representative of the Meat and Poultry Inspection Service the name and address of the person from whom he received such article or animal, and copies of all documents, if any there be, pertaining to the delivery of the article or animal to him.</p> <p>.... (1969, c. 893, s. 21; 1995, c. 516, s. 5; 1998-215, s. 17; 1999-408, s. 6.)</p>	
<p>§ 106-549.88. Penalties.</p> <p>Any person who violates any provisions of this Article or any regulations thereunder is guilty of a Class 2 misdemeanor. (1971, c. 1183, s. 8; 1999-408, s. 9.)</p>	<p>Board of Agriculture</p> <p>Section .0500 (Biological Residues) of 02 NCAC 52C.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-579.12. Violation.</p> <p>(a) Any person who shall be adjudged to have violated any provision of this Article, or any regulation of the Board adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Commissioner, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.</p> <p>....</p> <p>(1949, c. 1165; 1973, c. 47, s. 2; 1975, c. 719, s. 12; 1993, c. 539, s. 807; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Subchapter 09F (Internal Combustion Engine Antifreezes) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-614. Violation a misdemeanor.</p> <p>Any person who violates any provision of this Article or any rule or regulation of the Board of Agriculture promulgated hereunder shall be guilty of a Class 2 misdemeanor. In case of a continuing violation or violations, each day and each violation occurring constitutes a separate and distinct offense. (1973, c. 665, s. 14; 1993, c. 539, s. 808; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Board of Agriculture</p> <p>Chapter 46 (Grain Dealers) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-644. Penalties.</p> <p>(a) If anyone shall attempt to prevent inspection as provided in this Article or shall otherwise interfere with the Commissioner of Agriculture, or any of his agents, while engaging in the performance of his duties under this Article, or shall violate any provisions of this Article or any regulation of the Board of Agriculture adopted pursuant to this Article, he shall be guilty of a Class 3 misdemeanor. Each day's violation shall constitute a separate offense.</p> <p>....</p> <p>(1977, c. 238, s. 11; 1991, c. 349, s. 2; 1993, c. 539, s. 809; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 20.)</p>	<p>Board of Agriculture</p> <p>Section .0200 (Honey and Bee Industry) of 02 NCAC 48A.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-714. Penalties for violation.</p>	<p>Board of Agriculture</p> <p>Subchapter 52G (Biologics) of 02 NCAC.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(a) Any person adjudged to have violated any provision of this Article or the rules and regulations promulgated thereunder is guilty of a Class 2 misdemeanor. The Attorney General or his representative has concurrent jurisdiction with the district attorneys of this State to prosecute violations under this section.</p> <p>(b) The Commissioner may apply to the Superior Court for an injunction to restrain and prevent violations of this Article or the rules and regulations promulgated thereunder irrespective of whether there exists an adequate remedy elsewhere at law. (1981, c. 552, s. 1; 1993, c. 539, s. 811; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-764. Violation.</p> <p>A person who violates this act or a rule of the Board of Agriculture adopted hereunder is guilty of a Class 3 misdemeanor. (1993, c. 18, s. 2; 1994, Ex. Sess., c. 14, s. 56.)</p>	<p>Board of Agriculture</p> <p>Chapter 53 (Aquaculture) of 02 NCAC.</p> <p>The rule does not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 106-877. State timber may be sold by Department; forest nurseries; operation of public service facilities; concessions to private concerns; authority to charge fees and adopt rules.</p> <p>(a) Timber and other products of State forests may be sold, cut, and removed under rules of the Department. The Department may establish and operate forest tree nurseries and forest tree seed orchards. Forest tree seedlings and seed from these nurseries and seed orchards may be sold to landowners of the State for purposes of forestation under rules adopted by the Department. When the Commissioner determines that a surplus of seedlings or seed exists, this surplus may be sold, and the sale shall be in conformity with the following priority of sale: first, to agencies of the federal government for planting in the State of North Carolina; second, to commercial nurseries and nurserymen within this State; and third, without distinction, to federal agencies, to other states, and to recognized research organizations for planting either within or outside of this State. The Department shall make reasonable rules governing the use by the public of State forests under its charge. These rules shall be posted in conspicuous places on and adjacent to the properties of the State and at the courthouse of the county or counties in which the properties are located. A violation of these rules is punishable as a Class 3 misdemeanor.</p> <p>(b) The Department may construct, operate, and maintain within the State forests and other areas under its charge suitable public service facilities and conveniences, and may charge and collect reasonable fees for the use of these facilities and conveniences. The Department may also charge and collect reasonable fees for hunting privileges on State forests and fishing privileges in State forests, provided that these privileges shall be extended only to holders of State hunting and fishing licenses who comply with all State game and fish laws.</p>	<p>Department of Agriculture and Consumer Services</p> <p>Numerous rules in Subchapter 60B (Division Programs) of 02 NCAC.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(c) The Department may grant to private individuals or companies concessions for operation of public service facilities for such periods and upon such conditions as the Department deems to be in the public interest. The Department may adopt reasonable rules for the regulation of the use by the public of the lands and waters under its charge and of the public service facilities and conveniences authorized under this section. A violation of these rules is punishable as a Class 3 misdemeanor.</p> <p>(d) The authority granted to the Department under this section is in addition to any authority granted to the Department under any other provision of law. (2011-145, s. 13.25(o).)</p>	
<p>§ 113-134. Rules.</p> <p>The Marine Fisheries Commission and the Wildlife Resources Commission may, within their jurisdictional limitations imposed by this Article, adopt rules implementing this Subchapter. (1915, c. 84, s. 21; 1917, c. 290, s. 7; C.S., 1878; 1925, c. 168, s. 2; 1935, c. 35; 1945, c. 776; 1953, cc. 774, 1251; 1963, c. 1097, s. 1; 1965, c. 957, s. 2; 1973, c. 1262, s. 28; 1987, c. 827, s. 97.)</p> <p>§ 113-134.1. Jurisdiction over marine fisheries resources in Atlantic Ocean.</p> <p>The Marine Fisheries Commission is directed to exercise all regulatory authority over the conservation of marine fisheries resources in the Atlantic Ocean to the seaward extent of the State jurisdiction over the resources as now or hereafter defined. Marine fisheries inspectors may enforce these regulations and all other provisions of law applicable under the authority granted in this section in the same manner and with the same powers elsewhere granted them as enforcement officers. (1973, c. 1315; 1977, c. 771, s. 4; 1979, c. 830, s. 1; 1987, c. 641, ss. 5, 8.)</p> <p>§ 113-135. General penalties for violating Subchapter or rules; increased penalty for prior convictions; interpretive provisions.</p> <p>(a) Any person who violates any provision of this Subchapter or any rule adopted by the Marine Fisheries Commission or the Wildlife Resources Commission, as appropriate, pursuant to the authority of this Subchapter, is guilty of a misdemeanor except that punishment for violation of the rules of the Wildlife Resources Commission is limited as set forth in G.S. 113-135.1. Fishing without a license in violation of G.S. 113-174.1(a) or G.S. 113-270.1B(a) is punishable as an infraction. Otherwise, unless a different level of punishment is elsewhere set out, anyone convicted of a misdemeanor under this section is punishable as follows:</p> <p>(1) For a first conviction, as a Class 3 misdemeanor.</p> <p>(2) For a second or subsequent conviction within three years, as a Class 2 misdemeanor.</p> <p>(b) In interpreting this section, provisions elsewhere in this Subchapter making an offense a misdemeanor "punishable in the discretion of the court" must be considered to set a different level of punishment, to be interpreted in the light of G.S. 14-3 or any equivalent or successor statute. Noncriminal sanctions, however, such as license revocation or suspension, and exercise of powers auxiliary to criminal prosecution, such as seizure of property involved in the commission of an offense, do not constitute</p>	<p>Marine Fisheries Commission</p> <p>Chapter 03 (Marine Fisheries) of 15A NCAC and numerous rules in Subchapter 18A (Sanitation) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>*****</p> <p>Wildlife Resources Commission</p> <p>Much of Chapter 10 (Wildlife Resources and Water Safety) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>*****</p> <p>Listed under G.S. 113-134:</p> <p>Offense Code 6231 (Fish with Unlawful Bait) is listed as a misdemeanor. This offense code appears to refer to a rule violation. In FY 2018-2019, there were 0 cases filed in superior court and 24 cases filed in district court.</p> <p>Listed under G.S. 113-134.1:</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>different levels of punishment so as to oust criminal liability. Any previous conviction of an offense under this Subchapter, or under rules authorized by it, serves to increase the punishment under subsection (a) even though for a different offense than the second or subsequent one.</p> <p>(c) For the purposes of this Subchapter, violations of laws or rules administered by the Wildlife Resources Commission under any former general or local law replaced by the present provisions of this Subchapter are deemed to be violations of laws or rules under this Subchapter. (1965, c. 957, s. 2; 1973, c. 1262, s. 28; 1979, c. 830, s. 1; 1987, c. 827, s. 98; 1991, c. 176, s. 1; c. 761, s. 50.5; 1993, c. 539, s. 836; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 209, s. 3; 2013-360, s. 18B.14(m); 2013-385, s. 6.)</p> <p>§ 113-135.1. Limitation upon penalty for offense created by rules of Wildlife Resources Commission in certain instances.</p> <p>(a) To prevent unsuspecting members of the public from being subject to harsh criminal penalties for offenses created by rules of the Wildlife Resources Commission, the penalty for an offense that is solely a violation of rules of the Wildlife Resources Commission is limited to a fine of twenty-five dollars (\$25.00) except as follows:</p> <p>(1) Offenses set out in subsection (b) of this section are punishable as set forth in G.S. 113-135 or other sections of the General Statutes.</p> <p>(2) A person who parks a vehicle in violation of a rule regulating the parking of vehicles at boating access or boating launch areas is responsible for an infraction and shall pay a fine of fifty dollars (\$50.00).</p> <p>(b) The limitation upon penalty does not apply to any rule violation:</p> <p>(1) Punishable under G.S. 113-294 or otherwise involving aggravating elements that result in a greater punishment than provided by G.S. 113-135;</p> <p>(2) That involves a defendant subject to the collection-license provisions of G.S. 113-272.4 or who is a dealer as defined in G.S. 113-273; or</p> <p>(3) Relating to seasons, bag limits, creel limits, taking fish other than with hook and line, buying or selling wildlife, possessing or transporting live wildlife, taking wildlife at night or with the aid of a conveyance, or falconry. (1979, c. 830, s. 1; 1987, c. 827, s. 98; 2005-164, s. 1; 2012-200, s. 19.)</p>	<p>Offense Codes 6303 (Exceed Limit Shellfish by <=20%), 6304 (Exceed Limit Shellfish by >20%), 6305 (Oys/Clam/Mus w/o Harvest Tag), 6306 (Exceed Limit Finfish <=50%), 6307 (Exceed Limit of Finfish >50%), 6308 (Trawl in Closed Area), 6309 (Take/Poss Undersized Scallops), 6310 (Take/Pos Oys/Scl Clsd Seas/Day), 6311 (Take/Pos Finfish Clsd Seas/Day), 6312 (Gill Net/Equip/Oper Violations), 6313 (Channel Net Violations), 6314 (Poss Finfish w/o Head/Tail), 6315 (Prohibited Gear Nursery Area), 6316 (Oys/Clam/Mus w/o Harvest Tag), 6317 (Reporting/Trip Ticket Viol), 6318 (Take Clam Mech Mthd Clsd Ar/Se), 6319 (Fishing Lease Violations), 6321 (Take/Unld Oys/Clm Sun/At Night), 6322 (Take/Pos Shrimp Csld Seas/Per), 6323 (Take/Poss Nass Grp/Jewfsh/Strg), 6324 (Take/Poss Nass Grp/Golth/Strg), 6325 (Fish/Gear Tax Receipt Doc Viol), 6327 (Take/Possess Undersized Eel), 6348 (Take/Poss Undersize Oys <=20%), 6349 (Take/Poss Undersize Oys >20%), 6350 (Take/Poss Undersize Clam <=20%), 6351 (Take/Poss Undersize Clam >20%), 6352 (Take/Poss Undersize Crab <=20%), 6353 (Take/Poss Undersize Crab >20%), 6354 (Take/Pos Undrsize Finfish<=20%), 6355 (Take/Pos Undrsize Finfish>20%), 6356 (Use Trawl Net Wkend Clsd Per), 6357 (Take Crabs in Closed Area), 6358 (Use Crab Pots in Non-Desg Area), 6359 (Use Crab Pots Closed Season), 6360 (Leave Pot/Gill Net Unattended), 6361 (Use Gill Nets w/o Buy/Ident), 6362 (Use Pots w/o Buoy/Ident) are listed as misdemeanors.</p> <p>These offense codes appear to refer to rule violations. For this group of offense codes, in FY 2018-2019, there was 1 case filed in superior court and 81 cases filed in district court.</p> <p>Listed under G.S. 113-135:</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	<p>Offense Codes 6232 (Poss Natural Bait/Trout Waters), 6254 (Drive on Gamelands Illegally), 6269 (Crab or Crab Pot Violation), 6272 (Poss Firearm Closed Season), 6279 (Pound Net or Stakes Violation), 6280 (Take/Poss Undersize Fish), 6282 (Take/Poss Undersize Bluefish), 6283 (Take/Poss Undersize Clams), 6284 (Take/Poss Undersize Flounder), 6285 (Take/Poss Undersize Oysters), 6286 (Take/Poss Undersize Red Drum), 6287 (Take/Poss Undersize Spot Trout), 6288 (Take/Poss Undersize Strpd Bass), 6289 (Take/Poss Undersize Weakfish) are listed as misdemeanors.</p> <p>Given their descriptions, it appears that these offense codes refer to rule violations. For this group of offense codes, in FY 2018-2019, there was 1 case filed in superior court and 179 cases filed in district court.</p> <p>Listed under G.S. 113-135.1:</p> <p>Offense Code 6253 (Park in Boat Access Area Viol) is listed as an <i>infraction</i>, and Offense Code 6273 (Solely Violation Rules of WRC) is listed as a misdemeanor. These offense codes appear to refer to rule violations. For this group of offense codes, in FY 2018-2019, there were no cases filed.</p> <p>Offense Code 6344 (Improper Use Gill Nets ICWW) is listed under 15A NCAC 3J.0103 and is listed as a misdemeanor. This offense code appears to refer to a rule violation. For this offense code, in FY 2018-2019, there were 0 cases filed in superior court and 1 case filed in district court.</p> <p>Offense Code 6299 is listed as "Wildlife – Free Text" without an associated penalty. It is unclear whether this offense code refers to a statute violation or a rule violation. For this offense code, in</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	FY 2018-2019, there were 31 cases filed in superior court and 1,221 cases filed in district court.
<p>§ 113-187. Penalties for violations of Subchapter and rules.</p> <p>(a) Any person who participates in a commercial fishing operation conducted in violation of any provision of this Subchapter and its implementing rules or in an operation in connection with which any vessel is used in violation of any provision of this Subchapter and its implementing rules is guilty of a Class A1 misdemeanor.</p> <p>(b) Any owner of a vessel who knowingly permits it to be used in violation of any provision of this Subchapter and its implementing rules is guilty of a Class A1 misdemeanor.</p> <p>(c) Any person in charge of a commercial fishing operation conducted in violation of any provision of this Subchapter and its implementing rules or in charge of any vessel used in violation of any provision of this Subchapter and its implementing rules is guilty of a Class A1 misdemeanor.</p> <p>(d) Any person in charge of a commercial fishing operation conducted in violation of the following provisions of this Subchapter or the following rules of the Marine Fisheries Commission; and any person in charge of any vessel used in violation of the following provisions of the Subchapter or the following rules, shall be guilty of a Class A1 misdemeanor. The violations of the statute or the rules for which the penalty is mandatory are:</p> <ol style="list-style-type: none"> (1) Taking or attempting to take, possess, sell, or offer for sale any oysters, mussels, or clams taken from areas closed by statute, rule, or proclamation because of suspected pollution. (2) Taking or attempting to take or have in possession aboard a vessel, shrimp taken by the use of a trawl net, in areas not opened to shrimping, pulled by a vessel not showing lights required by G.S. 75A-6 after sunset and before sunrise. (3) Using a trawl net in any coastal fishing waters closed by proclamation or rule to trawl nets. (4) Violating the provisions of a special permit or gear license issued by the Department. (5) Using or attempting to use any trawl net, long haul seine, swipe net, mechanical methods for oyster or clam harvest or dredge in designated primary nursery areas. <p>(e) Any person who takes menhaden or Atlantic thread herring by the use of a purse seine net deployed by a mother ship and one or more runner boats in coastal fishing waters is guilty of a Class A1 misdemeanor. (1965, c. 957, s. 2; 1973, c. 1102; c. 1262, ss. 28, 86; 1977, c. 771, s. 4; 1979, c. 388, s. 5; 1987, c. 641, s. 6; c. 827, s. 98; 1989, c. 275, s. 2; 1993, c. 539, s. 839; 1994, Ex. Sess., c. 24, s. 14(c); 1997-400, s. 4.1; 2012-190, s. 3(a).)</p>	<p>Marine Fisheries Commission</p> <p>Chapter 03 (Marine Fisheries) of 15A NCAC and numerous rules in Subchapter 18A (Sanitation) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>Offense Codes 6262 (Take Shrimp in Closed Area), 6281 (Take Shellfish Polluted Water), and 6341 (Imp Take Menhaden/Thread Herr) are listed under this G.S. section.</p> <p>It is unclear whether Offense Codes 6262 and 6281 refer to statute violations or rule violations. It appears that Offense Code 6341, which is listed under G.S. 113-187(e), refers to a statute violation.</p> <p>In FY 2018-2019, there were 0 cases filed for Offense Code 6262. For Offense Code 6281, there were 0 cases filed in superior court and 19 cases filed in district court.</p> <p>In FY 2018-2017, for Offense Code 6262, there were 0 cases filed in superior court and 2 cases filed in district court. For Offense Code 6281, 2 cases were filed in superior court and 23 cases were filed in district court.</p> <p>In FY 2017-2016, there were 0 cases filed for Offense Code 6262. For Offense Code 6281, there were 0 cases filed in superior court and 21 cases filed in district court.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 113-191. Unlawful sale or purchase of fish; criminal and civil penalties.</p> <p>(a) Any person who sells fish in violation of G.S. 113-168.4 or a rule of the Marine Fisheries Commission to implement that section is guilty of a Class A1 misdemeanor.</p> <p>(b) Any person who purchases fish in violation of G.S. 113-169.3 or a rule of the Marine Fisheries Commission to implement that section is guilty of a Class A1 misdemeanor.</p> <p>....</p> <p>(1997-400, ss. 4.2, 4.5; 1998-225, ss. 3.5, 3.6.)</p>	<p>Marine Fisheries Commission</p> <p>Rules are mostly in Subchapter 03O (Licenses, Leases, Franchises and Permits) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 113-294. Specific violations.</p> <p>...</p> <p>(f) Any person who unlawfully takes, possesses, transports, sells, or buys any beaver, or violates any rule of the Wildlife Resources Commission adopted to protect beavers, is guilty of a Class 3 misdemeanor, unless a greater penalty is prescribed for the offense in question.</p> <p>...</p> <p>(m) Any person who unlawfully takes any migratory game bird with a rifle; or who unlawfully takes any migratory game bird with the aid of live decoys or any salt, grain, fruit, or other bait; or who unlawfully takes any migratory game bird during the closed season or during prohibited shooting hours; or who unlawfully exceeds the bag limits or possession limits applicable to any migratory game bird; or who violates any of the migratory game bird permit or tagging rules of the Wildlife Resources Commission is guilty of a Class 2 misdemeanor, punishable by a fine of not less than two hundred fifty dollars (\$250.00) in addition to any other punishment prescribed for the offense in question.</p> <p>(n) Any person who violates any rule of the Commission that restricts access by vehicle on game lands to a person who holds a special vehicular access identification card and permit issued by the Commission to persons who have a handicap that limits physical mobility shall be guilty of a Class 2 misdemeanor and shall be fined not less than one hundred dollars (\$100.00) in addition to any other punishment prescribed for the offense.</p> <p>....</p> <p>(1935, c. 486, s. 25; 1939, c. 235, s. 2; c. 269; 1941, c. 231, s. 2; c. 288; 1945, c. 635; 1949, c. 1205, s. 4; 1953, c. 1141; 1963, c. 147; c. 697, ss. 2, 31/2; 1965, c. 616; 1967, c. 729; c. 1149, s. 1; 1971, c. 423, s. 1; c. 524; c. 899, s. 2; 1973, c. 677; 1975, c. 216; 1977, c. 705, s. 4; c. 794, s. 2; c. 933, s. 8; 1979, c. 830, s. 1; 1985, c. 306; c. 554, s. 3; 1987, c. 452, s. 4; c. 827, s. 98; 1989, c. 327, s. 2; 1991, c. 366, s. 1; 1993, c. 539, s. 863; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 209, ss. 1, 2; 2003-96, s. 2; 2003-344, s. 10; 2005-62, s. 2; 2007-96, s. 1; 2011-369, s. 6(b); 2013-380, s. 11.)</p>	<p>Wildlife Resources Commission</p> <p>Rules throughout Chapter 10 (Wildlife Resources and Water Safety) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>Offense Code 6219 (Unlawfully Take Mig Game Bird), 6220 (Selling/Buying Wildlife), 6226 (Poss Deer Taken Closed Season), and 6240 (Spotlight Deer/Night Deer Hunt) are listed under this G.S. section.</p> <p>It is unclear whether Offense Codes 6219 and 6220 refer to statute violations or rule violations. Offense Codes 6226 and 6240 are listed under subsections (d) and (e), respectively, so it appears that these offense codes refer to statute violations.</p> <p>In FY 2018-2019, for Offense Code 6219, there were 2 cases filed in superior court and 104 cases filed in district court. For Offense Code 6220, there were 2 cases filed in superior court and 2 cases filed in district court.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	<p>In FY 2017-2019, for Offense Code 6219, there were 0 cases filed in superior court and 87 cases filed in district court. For Offense Code 6220, there were 0 cases filed in superior court and 2 cases filed in district court.</p> <p>In FY 2016-2017, for Offense Code 6219, there were 0 cases filed in superior court and 104 cases filed in district court. For Offense Code 6220, there were 0 cases filed in superior court and 5 cases filed in district court.</p>
<p>§ 113-315.34. Jurisdiction of the Authority; application of Chapter 20; appointment and authority of special police.</p> <p>(a) The jurisdiction of the Authority in any of the parks shall extend to all properties owned by or under control of the Authority and shall also extend over the waters and shores within the parks and over that part of all tributary streams flowing into the parks in which the tide ebbs and flows, and shall extend to the outer edge of the outer bar situated at the approach to the port of any park.</p> <p>(b) All the provisions of Chapter 20 of the General Statutes relating to the use of the highways of the State and the operation of motor vehicles thereon are hereby made applicable to the streets, alleys and driveways on the properties owned by or under the control of the North Carolina Marine Industrial Park Authority. Any person violating any of the provisions of said Chapter in or on such streets, alleys or driveways shall, upon conviction thereof, be punished as therein prescribed. Nothing herein contained shall be construed as in any way interfering with the ownership and control of such streets, alleys and driveways on the properties of said Authority as is now vested by law in the said Authority.</p> <p>(c) The Authority shall post copies of rules concerning traffic and parking at appropriate places on property of the Authority. Violation of a rule concerning traffic or parking on property of the Authority is a Class 3 misdemeanor.</p> <p>....</p> <p>(1979, c. 459, s. 10; 1987, c. 827, s. 109; 1989, c. 751, s. 8(14); 1991 (Reg. Sess., 1992), c. 959, s. 25; 1993, c. 539, s. 869; 1994, Ex. Sess., c. 24, s. 14(c); 2013-211, s. 1.)</p>	<p>Marine Industrial Park Authority</p> <p>Chapter 17 (Seafood Industrial Park Authority) of 04 NCAC.</p> <p>Rules were either repealed effective 1988 or expired effective 2014.</p>
<p>§ 113-337. Unlawful acts; penalties.</p> <p>(a) It is unlawful:</p> <p>(1) To take, possess, transport, sell, barter, trade, exchange, export, or offer for sale, barter, trade, exchange or export, or give away for any purpose including advertising or other promotional purpose any animal on a protected wild</p>	<p>Wildlife Resources Commission</p> <p>Mostly in Subchapter 10I (Endangered and Threatened Species) of 15A NCAC.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>animal list, except as authorized according to the regulations of the Commission, including those promulgated pursuant to G.S. 113-333(1);</p> <p>(2) To perform any act specifically prohibited by the regulations of the Commission promulgated pursuant to its authority under G.S. 113-333.</p> <p>(b) Each person convicted of violating the provisions of this Article is guilty of a Class 1 misdemeanor. (1987, c. 382, s. 1; 1999-408, s. 10.)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 113A-126. Injunctive relief and penalties.</p> <p>...</p> <p>(c) Any person who shall be adjudged to have knowingly or willfully violated any provision of this Article, or any rule or order adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates, any such provision, rule or order after written notice from the Secretary or (in the case of a permit for a minor development issued by a local government) written notice from the designated local official, the court may determine that each day during which the violation continues or is repeated constitutes a separate violation subject to the foregoing penalties.</p> <p>....</p> <p>(1973, c. 1284, s. 1; 1975, c. 452, s. 5; 1977, c. 771, s. 4; 1981, c. 932, s. 2.1; 1983, c. 485, ss. 1-3; c. 518, s. 6; 1987, c. 827, ss. 11, 143; 1991, c. 725, s. 6; 1991 (Reg. Sess., 1992), c. 839, s. 3; c. 890, s. 8; 1993, c. 539, s. 874; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 53(a); 2006-229, s. 1; 2011-398, s. 38.)</p>	<p>Coastal Resources Commission</p> <p>Chapter 07 (Coastal Management) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 113A-170. Violation a misdemeanor; injunctive relief.</p> <p>Any person, firm, corporation or association placing or erecting outdoor advertising structure or junkyard along the Blue Ridge Parkway in violation of this Article or a rule adopted under this Article shall be guilty of a Class 1 misdemeanor. In addition thereto, the Department of Environmental Quality may seek injunctive relief in the superior court of the county in which the said nonconforming outdoor advertising is located and require the outdoor advertising to conform to the provisions of this Article or a rule adopted under this Article, or require the removal of the said nonconforming outdoor advertising. (1975, c. 385; 1977, c. 771, s. 4; 1987, c. 827, s. 151; 1989, c. 727, s. 218(72); 1993, c. 539, s. 875; 1994, Ex. Sess., c. 24, s. 14(c); 1997-443, s. 11A.119(a); 2015-241, s. 14.30(u).)</p>	<p>Department of Environmental Quality</p> <p>No rules found.</p>
<p>§ 113A-226. Enforcement.</p> <p>(a) Any person who violates this Article or any rule adopted pursuant to this Article shall be guilty of a Class 2 misdemeanor for each offense.</p> <p>....</p>	<p>Department of Environmental Quality</p> <p>Section .0600 (Aquatic Weed Control) of 15A NCAC 02G.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(1991, c. 132, c. 761, s. 20; 1993, c. 539, s. 877; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 113B-24. Enforcement; penalties for violations.</p> <p>(a) The Attorney General and the law-enforcement authorities of the State and its political subdivisions shall enforce the provisions of this Article and all orders, rules and regulations promulgated pursuant to G.S. 113B-22.</p> <p>(b) Any person who violates this Article or any rules, orders or regulations promulgated pursuant to G.S. 113B-22 or knowingly or willfully submits false information in any report required herein shall be guilty of a Class 1 misdemeanor.</p> <p>....</p> <p>(1975, c. 877, s. 4; 1993, c. 539, s. 878; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>The Governor [Emergency rules in case of energy crisis]</p> <p>No rules found.</p>
<p>§ 119-39. Violation a misdemeanor.</p> <p>Unless another penalty is provided in this Article, any person violating any of the provisions of this Article or any of the rules and regulations of the Secretary of Revenue or the Commissioner of Agriculture and/or the Gasoline and Oil Inspection Board shall be guilty of a Class 1 misdemeanor. (1937, c. 425, s. 23; 1949, c. 1167; 1973, c. 476, s. 193; 1993, c. 539, s. 909; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Revenue, Department of Agriculture and Consumer Services, and Gasoline and Oil Inspection Board</p> <p>Chapter 42 (Gasoline and Oil Inspection Board) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 119-59. Sanctions for violations.</p> <p>(a) Criminal. – A dealer who violates a provision of this Article or a rule adopted under it is guilty of a Class 1 misdemeanor.</p> <p>....</p> <p>(1955, c. 487; 1961, c. 1072; 1981, c. 486, s. 1; 1993, c. 356, s. 2; c. 539, s. 911; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 25; 2009-386, s. 3.)</p>	<p>Board of Agriculture</p> <p>Section .0700 (Standards for Storage, Handling and Installation of LP Gas) of 02 NCAC 38.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 120-32.1. Use and maintenance of buildings and grounds.</p>	<p>Legislative Services Commission</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(a) The Legislative Services Commission shall:</p> <ol style="list-style-type: none"> (1) Establish policy for the use of the State legislative buildings and grounds. (2) Maintain and care for the State legislative buildings and grounds, but the Commission may delegate the actual work of the maintenance of those buildings and grounds to the Department of Administration, which shall perform the work as delegated. (3) Provide security for the State legislative buildings and grounds. (4) Allocate space within the State legislative buildings and grounds. (5) Have the exclusive authority to assign parking space in the State legislative buildings and grounds and any spaces provided in Lot 7 of the State Government Parking Complex in accordance with G.S. 143-340(18a). <p>(b) The Legislative Services Officer shall have posted the rules adopted by the Legislative Services Commission under the authority of this section in a conspicuous place in the State Legislative Building and the Legislative Office Building. The Legislative Services Officer shall have filed a copy of the rules, certified by the chairman of the Legislative Services Commission, in the office of the Secretary of State and in the office of the Clerk of the Superior Court of Wake County. When so posted and filed, these rules shall constitute notice to all persons of the existence and text of the rules. Any person, whether on his own behalf or for another, or acting as an agent or representative of any person, firm, corporation, partnership or association, who knowingly violates any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor. Any person, firm, corporation, partnership or association who combines, confederates, conspires, aids, abets, solicits, urges, instigates, counsels, advises, encourages or procures another or others to knowingly violate any of the rules adopted, posted and filed under the authority of this section is guilty of a Class 1 misdemeanor. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may waive in writing the application of any rule adopted by the Legislative Services Commission to either or both of the House and Senate Sergeants-at-Arms of the General Assembly, and such a jointly-executed waiver shall be a defense against any prosecution for violation of such rule. Such a waiver shall extend no longer than the expiration of their then current term of office. A copy of such waiver shall be delivered to the Chief of the General Assembly Special Police.</p> <p>....</p> <p>(1973, c. 99, s. 1; 1975, c. 145, s. 3; 1981, c. 772, ss. 3, 4; 1991 (Reg. Sess., 1992), c. 1044, s. 7(a); 1993, c. 539, s. 913; 1994, Ex. Sess., c. 24, s. 14(c); 1996, 2nd Ex. Sess., c. 18, ss. 8(c), 8.1; 1998-156, s. 1; 2003-284, s. 19B.2; 2006-264, s. 60; 2011-63, s. 3; 2011-268, s. 25; 2017-199, s. 1.)</p>	<p>Available on the NC General Assembly Police Department's website: https://www.ncleg.gov/Police/BuildingInfo</p> <p>The rules are not duplicative of the statute.</p> <p>No offense code found.</p>
<p>§ 121-4. Powers and duties of the Department of Natural and Cultural Resources.</p> <p>The Department of Natural and Cultural Resources shall have the following powers and duties:</p> <p>...</p>	<p>Historical Commission</p> <p>Subchapters 04N (Historic Sites Regulations) and 04Q (State Capital/Visitor Services Section) of 07 NCAC.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(9) To administer and enforce reasonable rules adopted and promulgated by the Historical Commission for the regulation of the use by the public of such historical, architectural, archaeological, or cultural properties under its charge, which regulations, after having been posted in conspicuous places on and adjacent to such State properties and having been filed according to law, shall have the force and effect of law and any violation of such regulations shall constitute a Class 3 misdemeanor.</p> <p>....</p> <p>(Rev., ss. 4540, 4541; 1907, c. 714, s. 2; 1911, c. 211, s. 6; C.S., s. 6142; 1925, c. 275, s. 11; 1943, c. 237; 1945, c. 55; 1955, c. 543, s. 1; 1957, c. 330, s. 1; 1959, c. 68, s. 1; 1971, c. 345, s. 3; 1973, c. 476, s. 48; 1977, c. 464, s. 38; 1981, c. 721; 1989, c. 379; c. 727, s. 218(83); c. 751, s. 11; 1991, c. 757, s. 5; 1991 (Reg. Sess., 1992), c. 959, s. 30; 1993, c. 522, s. 8; c. 539, s. 915; 1994, Ex. Sess., c. 24, s. 14(c); 1997-443, s. 11A.119(a); 2004-203, s. 51; 2011-284, s. 86; 2015-241, s. 14.30(s), (u).)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 121-28. Violation of Article a misdemeanor.</p> <p>Any person violating the provisions of this Article or any rules or regulations established thereunder shall be guilty of a Class 1 misdemeanor. (1967, c. 533, s. 8; 1993, c. 539, s. 917; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Natural and Cultural Resources</p> <p>Section .1600 (Archaeological Permits) of 07 NCAC 04R.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 122C-406. Violations made misdemeanor.</p> <p>A person who violates an ordinance or rule adopted under this Part is guilty of a Class 3 misdemeanor. (1949, c. 71, s. 5; 1985, c. 589, s. 2; 1993, c. 539, s. 927; 1994, Ex. Sess., c. 24, s. 14(c).)</p> <p>§ 122C-405. Procedure applicable to rules.</p> <p>Rules adopted by the Secretary under this Article shall be adopted in accordance with the procedures for adopting a city ordinance on the same subject, shall be subject to review in the manner provided for a city ordinance adopted on the same subject, and shall be enforceable in accordance with the procedures for enforcing a city ordinance on the same subject. Violation of a rule adopted under this Article is punishable as provided in G.S. 122C-406.</p> <p>Rules adopted under this Article may apply to part or all of the Camp Butner Reservation, except those areas within the municipal boundaries of the Town of Butner and that portion of the Town of Butner's extraterritorial jurisdiction consisting of lands not owned by the State of North Carolina. If a public hearing is required before the adoption of a rule, Advisory the Secretary shall designate one or more employees of the Department to conduct the hearing. The Butner Town Council shall receive at least 14 days' advance</p>	<p>Department of Health and Human Services</p> <p>Subchapter 29C (Butner Ordinances) of 10A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
written notice of any public hearing with all correspondence concerning such public hearings to be directed to the mayor of the Town of Butner and sent by certified mail, return receipt requested, or equivalent delivery service to Butner Town Hall. (1949, c. 71, s. 4; 1963, c. 1166, s. 10; 1973, c. 476, s. 133; 1981, c. 614, s. 6; 1985, c. 589, s. 2; 1987, c. 536, s. 4; c. 720, s. 3; 1995 (Reg. Sess., 1996), c. 667, s. 5; 1997-59, s. 6; 1999-140, s. 5; 2007-269, s. 5.)	
§ 130A-25. Misdemeanor. (a) Except as otherwise provided, a person who violates a provision of this Chapter or the rules adopted by the Commission or a local board of health shall be guilty of a misdemeanor. ... (1983, c. 891, s. 2; 1987, c. 782, s. 19; 1991, c. 187, s. 1; 1993, c. 539, s. 946; 1994, Ex. Sess., c. 24, s. 14(c); 1993 (Reg. Sess., 1994), c. 767, s. 18; 2010-180, s. 14(d); 2011-145, s. 19.1(h), (i), (j); 2017-186, ss. 2(vvvvv), 3(a).)	<p>Commission for Public Health and a local board of health</p> <p>Rules adopted under Chapter 130A pertaining to public health include: Chapter 41 (Epidemiology Health), Chapter 42 (Laboratory Services), Chapter 43 (Personal Health), Chapter 45 (General Procedures for Public Health Programs), Chapter 46 (Local Standards), and Chapter 48 (Local Health Department Accreditation) of 10A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>Offense Codes 5544 (Public Health Violation) and 6044 (Public Health Violation) are listed with this G.S. section as misdemeanors. It is unclear whether these offense codes refer to statute violations or rule violations.</p> <p>In FY 2018-2019, for Offense Code 5544, there were 0 cases filed. For Offense Code 6044, there were 0 cases filed in superior court and 13 cases filed in district court.</p> <p>In FY 2017-2018, for Offense Code 5544, there were 0 cases filed. For Offense Code 6044, there was 1 case filed in superior court and 13 cases filed in district court.</p> <p>In FY 2016-2017, for Offense Code 5544, there were 0 cases filed. For Offense Code 6044, there were 0 cases filed in superior court and 15 cases filed in district court.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 131E-81. Penalties.</p> <p>(a) Any person establishing, conducting, managing, or operating any hospital without a license shall be guilty of a Class 3 misdemeanor, and upon conviction shall only be liable for a fine of not more than fifty dollars (\$50.00) for the first offense and not more than five hundred dollars (\$500.00) for each subsequent offense. Each day of a continuing violation after conviction shall be considered a separate offense.</p> <p>(b) Except as otherwise provided in this Part, any person who willfully violates any provision of this Part or who willfully fails to perform any act required, or who willfully performs any act prohibited by this Part, shall be guilty of a Class 1 misdemeanor. However, any person who willfully violates any rule adopted by the Commission under this Part or who willfully fails to perform any act required by, or who willfully does any act prohibited by, these rules shall be guilty of a Class 3 misdemeanor. (1947, c. 933, s. 6; 1983, c. 775, s. 1; 1993, c. 539, s. 958; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Medicare Care Commission</p> <p>Subchapter 13B (Licensing of Hospitals) of 10A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes. No offense code found.</p>
<p>§ 131E-109. Penalties.</p> <p>(a) Any person establishing, conducting, managing or operating any nursing home without a license shall be guilty of a Class 3 misdemeanor, and upon conviction shall only be liable for a fine of not more than five hundred dollars (\$500.00) for the first offense and not more than five hundred dollars (\$500.00) for each subsequent offense. Each day of a continuing violation after conviction shall be considered a separate offense.</p> <p>...</p> <p>(d) Except as otherwise provided in this Part, any person who violates any provision of this Part or who willfully fails to perform any act required, or who willfully performs any act prohibited by this Part, shall be guilty of a Class 1 misdemeanor: Provided, however, that any person who willfully violates any rule adopted by the Commission under this Part or who willfully fails to perform any act required by, or who willfully performs any act prohibited by, these rules shall be guilty of a Class 3 misdemeanor.</p> <p>....</p> <p>(1977, c. 656, ss. 1, 2; 1981, c. 667, ss. 1, 2; 1983, c. 775, s. 1; 1991, c. 143, s. 3; c. 761, s. 25; 1993, c. 539, s. 960; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 78(c).)</p>	<p>Medical Care Commission</p> <p>Subchapter 13D (Rules for the Licensing of Nursing Homes) of 10A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes. No offense code found.</p>
<p>§ 136-18. Powers of Department of Transportation.</p> <p>The Department of Transportation has the following powers:</p> <p>...</p> <p>(5) To make rules, regulations, and ordinances for the use of, and to police traffic on, the State highways, and to prevent their abuse by individuals, corporations, and public corporations, by trucks, tractors, trailers, or other heavy or destructive vehicles or machinery, or by any other means whatsoever, and to provide ample means for the enforcement of the rules, regulations, and ordinances. The violation of any of the rules, regulations, or</p>	<p>Department of Transportation</p> <p>Numerous sections in Chapter 2 (Division of Highways) of 19A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>ordinances so prescribed by the Department of Transportation constitutes a Class 1 misdemeanor. The Department of Transportation shall not make a rule, regulation, or ordinance that conflicts with any statute or any ordinance of incorporated cities or towns, except the Department of Transportation may regulate parking upon any street which forms a link in the State highway system, if the street is maintained with State highway funds.</p> <p>....</p> <p>(1921, c. 2, s. 10; 1923, c. 160, s. 1; c. 247; C.S., s. 3846(j); 1929, c. 138, s. 1; 1931, c. 145, ss. 21, 25; 1933, c. 172; c. 517, c. 1; 1935, c. 213, s. 1; c. 301; 1937, c. 297, s. 2; c. 407, s. 80; 1941, c. 47; c. 217, s. 6; 1943, c. 410; 1945, c. 842; 1951, c. 372; 1953, c. 437; 1957, c. 65, s. 11; c. 349, s. 9; 1959, c. 557; 1963, cc. 520, 1155; 1965, c. 879, s. 1; 1967, c. 1129; 1969, c. 794, s. 2; 1971, cc. 289, 291, 292, 977; 1973, c. 507, s. 5; 1977, c. 460, ss. 1, 2; c. 464, ss. 7.1, 14, 42; 1981, c. 682, s. 19; 1983, c. 84; c. 102; 1985, c. 718, ss. 1, 6; 1987, c. 311; c. 417, ss. 1, 2; 1989, c. 158; 1989 (Reg. Sess. 1990), c. 962, s. 1; 1993, c. 197, s. 2; c. 488, s. 1; c. 524, s. 4; c. 539, ss. 974-977; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 247, s. 1; c. 507, s. 18.2; 1995 (Reg. Sess., 1996), c. 673, s. 4; 1996, 2nd Ex. Sess., c. 18, s. 19.10(a); 1997-428, s. 1; 1997-443, s. 11A.118(a); 2000-123, s. 1; 2000-140, s. 102; 2001-424, s. 27.27; 2003-184, s. 1; 2003-267, s. 1; 2004-168, s. 1; 2005-403, s. 2; 2006-230, s. 1(a); 2007-428, s. 1; 2007-439, s. 1; 2007-485, s. 3.1; 2008-164, s. 1; 2008-180, ss. 2, 8; 2009-266, s. 6; 2009-451, s. 25.6(a); 2010-97, s. 14; 2010-165, ss. 4, 4(a), 5-8; 2012-84, s. 2; 2012-184, s. 1; 2013-137, ss. 1, 2; 2013-183, ss. 4.2, 5.2; 2013-266, s. 1; 2014-58, ss. 9, 13; 2014-100, s. 34.27; 2014-115, s. 56.2; 2015-241, s. 29.22(a); 2016-90, s. 2(a); 2017-57, s. 34.6A(a); 2017-159, s. 3(a); 2017-197, s. 7.5; 2019-76, s. 23; 2019-111, s. 2.5(o); 2019-148, s. 1; 2019-199, ss. 5(a), (b).)</p>	No offense code found.
<p>§ 136-18. Powers of Department of Transportation.</p> <p>The Department of Transportation has the following powers:</p> <p>...</p> <p>(10) (Effective until January 1, 2021) To make proper and reasonable rules, regulations, and ordinances for the placing or erection of telephone, telegraph, electric, and other lines, above or below ground, wireless facilities, signboards, fences, gas, water, sewerage, oil, or other pipelines, and other similar obstructions that may, in the opinion of the Department of Transportation, contribute to the hazard upon any of the highways or in any way interfere with the highways, and to make reasonable rules and regulations for the proper control thereof. And whenever the order of the Department of Transportation shall require the removal of, or changes in, the location of telephone, telegraph, electric, or other lines, wireless facilities, signboards, fences, gas, water, sewerage, oil, or other pipelines, or other similar obstructions, the owners thereof shall at their own expense, except as provided in G.S. 136-19.5(c), move or change them to conform to the order of the Department of Transportation. Any violation of these rules and regulations or noncompliance with these orders constitutes a Class 1 misdemeanor. For purposes of this subdivision, "wireless facilities" has the definition set forth in G.S. 160A-400.51.</p>	<p>Department of Transportation</p> <p>Mostly in Section .0500 (Utility Encroachments) of 19A NCAC 02B and Section .0400 (General Ordinances) of 19A NCAC 02E.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(10) (Effective January 1, 2021) To make proper and reasonable rules, regulations, and ordinances for the placing or erection of telephone, telegraph, electric, and other lines, above or below ground, wireless facilities, signboards, fences, gas, water, sewerage, oil, or other pipelines, and other similar obstructions that may, in the opinion of the Department of Transportation, contribute to the hazard upon any of the highways or in any way interfere with the highways, and to make reasonable rules and regulations for the proper control thereof. And whenever the order of the Department of Transportation shall require the removal of, or changes in, the location of telephone, telegraph, electric, or other lines, wireless facilities, signboards, fences, gas, water, sewerage, oil, or other pipelines, or other similar obstructions, the owners thereof shall at their own expense, except as provided in G.S. 136-19.5(c), move or change them to conform to the order of the Department of Transportation. Any violation of these rules and regulations or noncompliance with these orders constitutes a Class 1 misdemeanor. For purposes of this subdivision, "wireless facilities" has the definition set forth in G.S. 160D-931.</p> <p>....</p>	
<p>§ 136-18. Powers of Department of Transportation. The Department of Transportation has the following powers:</p> <p>...</p> <p>(22) No airport or aircraft landing area shall be constructed or altered where the construction or alteration when undertaken or completed may reasonably affect motor vehicle operation and safety on adjoining public roads except in accordance with a written permit from the Department of Transportation or its duly authorized officers. The Department of Transportation may regulate airport and aircraft landing area construction and alteration in order to preserve safe clearances between highways and airways and the Department of Transportation may make rules, regulations, and ordinances for the preservation of safe clearances between highways and airways. The Department of Transportation is responsible for determining safe clearances and shall fix standards for this determination which shall not exceed the standards adopted for similar purposes by the United States Bureau of Public Roads under the Federal Aid Highway Act of 1958. Any person, firm, corporation, or airport authority constructing or altering an airport or aircraft landing area without obtaining a written permit as provided in this subdivision, or not in compliance with the terms of the permit, or violating the provisions of the rules, regulations, or ordinances promulgated under the authority of this section is guilty of a Class 1 misdemeanor. This subdivision does not apply to publicly owned and operated airports and aircraft landing areas receiving federal funds and subject to regulation by the Federal Aviation Authority.</p> <p>....</p>	<p>Department of Transportation</p> <p>19A NCAC 02E .0423 (Regulation of Airport Construction).</p> <p>The rule does not appear to be duplicative of the statute.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 136-125. Regulation of scenic easements.</p> <p>The Department of Transportation shall have the authority to promulgate rules and regulations governing the use, maintenance and protection of the areas or interests acquired under this Article. Any violation of such rules and regulations shall be a Class 1 misdemeanor. (1967, c. 1247, s. 4; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1993, c. 539, s. 997; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Transportation</p> <p>Mostly in Section .1000 (Scenic Byways) of 19A NCAC 02E.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 136-135. Enforcement provisions.</p> <p>Any person, firm, corporation or association, placing, erecting or maintaining outdoor advertising along the interstate system or primary system in violation of this Article or rules adopted by the Department of Transportation shall be guilty of a Class 1 misdemeanor. In addition thereto, the Department of Transportation may seek injunctive relief in the Superior Court of Wake County or of the county where the outdoor advertising is located and require the outdoor advertising to conform to the provisions of this Article or rules adopted pursuant hereto, or require the removal of the said illegal outdoor advertising. (1967, c. 1248, s. 10; 1973, c. 507, s. 5; 1975, c. 568, s. 14; 1977, c. 464, s. 32; 1993, c. 539, s. 998; 1994, Ex. Sess., c. 24, s. 14(c); 1999-404, s. 4.)</p>	<p>Department of Transportation</p> <p>Mostly in Section .0200 (Outdoor Advertising) of 19A NCAC 02E.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 136-269. Jurisdiction of the Authority; application of Chapter 20; appointment and authority of special police.</p> <p>...</p> <p>(c) The North Carolina State Ports Authority is hereby authorized to make such reasonable rules, regulations, and adopt such additional ordinances with respect to the use of the streets, alleys, driveways and to the establishment of parking areas on the properties of the Authority and relating to the safety and welfare of persons using the property of the Authority. All rules, regulations and ordinances adopted pursuant to the authority of this subsection shall be recorded in the proceedings of the Authority and printed and copy of such rules, regulations and ordinances shall be filed in the office of the Attorney General of North Carolina and the Authority shall cause to be posted, at appropriate places on the properties of the Authority, notice to the public of applicable rules, regulations and ordinances as may be adopted under the authority of this subsection. Any person violating any such rules, regulations or ordinances shall, upon conviction thereof, be guilty of a Class 3 misdemeanor.</p> <p>....</p> <p>(1945, c. 1097, s. 9; 1959, c. 523, s. 7; 1965, c. 1074; 1975, 2nd Sess., c. 983, s. 83; 1977, c. 198, ss. 8, 9; 1987, c. 275, s. 5; 1993, c. 539, s. 1041; 1994, Ex. Sess., c. 24, s. 14(c); 2011-145, s. 14.6(b).)</p>	<p>State Ports Authority</p> <p>Chapter 13 (State Ports Authority) of 04 NCAC. Rules repealed effective 1998 or earlier.</p>
<p>§ 143-116.6. Rules concerning conduct; violation.</p>	<p>Department of Health and Human Services</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(a) The Secretary of Health and Human Services may adopt rules for State-owned institutions under the jurisdiction of the Department of Health and Human Services for the regulation and deportment of persons in the buildings and grounds of the institutions, and for the suppression of nuisances and disorder. Rules adopted under this section shall be consistent with G.S. 14-132. Copies of the rules shall be posted at the entrance to the grounds and at different places on the grounds.</p> <p>(b) Any person violating such rules shall, upon conviction, be guilty of a Class 2 misdemeanor. (1981, c. 614, s. 5; 1987, c. 827, s. 255; 1993, c. 539, s. 1006; 1994, Ex. Sess., c. 24, s. 14(c); 1997-443, s. 11A.118(a).)</p>	<p>Section .0100 (Rules Governing Department: Traffic, Parking and Registration of Vehicles at Division Facilities) of 10A NCAC 28I.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 143-151. Penalties.</p> <p>...</p> <p>(b) Any individual, or a director, officer or agent of a corporation who knowingly and willfully violates the Act, this Article, or any rules adopted under this Article in a manner that threatens the health or safety of any purchaser is guilty of a Class I felony. (1971, c. 1172, s. 7; 1979, c. 558, s. 1; 1985, c. 487, s. 7; 1987, c. 429, s. 19; 1993, c. 539, s. 1011; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 93; 1999-393, s. 2.)</p>	<p>Department of Insurance</p> <p>11 NCAC 08 .0204 through 11 NCAC 08 .0210. Repealed effective 1987.</p>
<p>§ 143-215.6B. Enforcement procedures: criminal penalties.</p> <p>...</p> <p>(f) Any person who negligently violates any: (i) classification, standard, or limitation established in rules adopted by the Commission pursuant to G.S. 143-214.1, 143-214.2, or 143-215; (ii) term, condition, or requirement of a permit issued pursuant to this Part, including permits issued pursuant to G.S. 143-215.1, pretreatment permits issued by local governments, and laboratory certifications; (iii) term, condition, or requirement of a special order or other appropriate document issued pursuant to G.S. 143-215.2; or (iv) rule of the Commission implementing this Part; and any person who negligently fails to apply for or to secure a permit required by G.S. 143-215.1 shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed fifteen thousand dollars (\$15,000) per day of violation, provided that such fine shall not exceed a cumulative total of two hundred thousand dollars (\$200,000) for each period of 30 days during which a violation continues.</p> <p>(g) Any person who knowingly and willfully violates any (i) classification, standard, or limitation established in rules adopted by the Commission pursuant to G.S. 143-214.1, 143-214.2, or 143-215; (ii) term, condition, or requirement of a permit issued pursuant to this Part, including permits issued pursuant to G.S. 143-215.1, pretreatment permits issued by local governments, and laboratory certifications; or (iii) term, condition, or requirement of a special order or other appropriate document issued pursuant to G.S. 143-215.2; and any person who knowingly and willfully fails to apply for or to secure a permit required by G.S. 143-215.1 shall be guilty of a Class I felony, which may include a fine not to exceed one hundred thousand dollars (\$100,000) per day of</p>	<p>Environmental Management Commission</p> <p>Numerous rules in Chapter 02 (Environmental Management) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>violation, provided that this fine shall not exceed a cumulative total of five hundred thousand dollars (\$500,000) for each period of 30 days during which a violation continues. For the purposes of this subsection, the phrase "knowingly and willfully" shall mean intentionally and consciously as the courts of this State, according to the principles of common law interpret the phrase in the light of reason and experience.</p> <p>(h) (1) Any person who knowingly violates any: (i) classification, standard, or limitation established in rules adopted by the Commission pursuant to G.S. 143-214.1, 143-214.2, 143-215; (ii) term, condition, or requirement of a permit issued pursuant to this Part, including permits issued pursuant to G.S. 143-215.1, pretreatment permits issued by local governments, and laboratory certifications; or (iii) term, condition, or requirement of a special order or other appropriate document issued pursuant to G.S. 143-215.2; and any person who knowingly fails to apply for or to secure a permit required by G.S. 143-215.1 and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury shall be guilty of a Class C felony, which may include a fine not to exceed two hundred fifty thousand dollars (\$250,000) per day of violation, provided that this fine shall not exceed a cumulative total of one million dollars (\$1,000,000) for each period of 30 days during which a violation continues.</p> <p>....</p> <p>(1951, c. 606; 1967, c. 892, s. 1; 1973, c. 698, s. 12; c. 712, s. 2; c. 1262, s. 23; c. 1331, s. 3; 1975, c. 583, s. 7; c. 842, ss. 6, 7; 1977, c. 771, s. 4; 1979, c. 633, ss. 9-11; 1981, c. 514, s. 1; c. 585, s. 13; 1987, c. 271; c. 827, ss. 154, 164; 1989, c. 426, s. 4; 1989 (Reg. Sess., 1990), c. 1004, s. 48; c. 1045, s. 2; 1991, c. 725, s. 4; 1993, c. 539, ss. 1018, 1019, 1313-1315; 1994, Ex. Sess., c. 24, s. 14(c); 1997-458, s. 11.1; 2007-536, s. 4.)</p>	
<p>§ 143-215.69. Enforcement procedures.</p> <p>(a) (1) Criminal Penalties. – Except as provided in subdivision (2) of this subsection, any person who violates any provisions of this Part or any rules adopted by the Commission for its implementation shall be guilty of a Class 3 misdemeanor and shall be only liable to a penalty of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000) for each violation and each day such person shall fail to comply after having been officially notified by the Commission shall constitute a separate offense subject to the foregoing penalty.</p> <p>(2) Any person who violates any provision of this Part or any rule adopted by the Commission to implement this Part that imposes a requirement that is also a requirement under Title V or any rule adopted by the Commission to implement Title V shall be subject to punishment as provided by G.S. 143-215.114B.</p> <p>....</p> <p>(1971, c. 1167, s. 9; 1973, c. 1262, s. 23; 1975, c. 842, s. 5; 1977, c. 771, s. 4; 1987, c. 827, ss. 154, 189; 1989 (Reg. Sess., 1990), c. 1045, s. 10; 1993, c. 400, s. 6; c. 539, s. 1023; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 66.)</p>	<p>Environmental Management Commission</p> <p>Mostly in Subchapters 2B (Surface Water and Wetland Standards) and 2D (Air Pollution Control Requirements) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>§ 143-215.98. Violations.</p> <p>Any person who shall be adjudged to have violated any provision of this Part or any rule of the Secretary adopted hereunder shall be guilty of a Class 3 misdemeanor. (1973, c. 534, s. 1; 1977, c. 771, s. 4; 1987, c. 827, ss. 154(3), 200; 1993, c. 539, s. 1024; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>Department of Environmental Quality</p> <p>No rules found.</p>
<p>§ 143-215.102. Penalties.</p> <p>...</p> <p>(b) Criminal Penalties. – Any person who intentionally or knowingly or willfully violates any provision of this Part, or any rule, regulation or order made pursuant to this Part shall be guilty of a Class 2 misdemeanor which may include a fine to be not more than ten thousand dollars (\$10,000). No proceeding shall be brought or continued under this subsection for or on account of a violation by any person who has previously been convicted of a federal violation or a local ordinance violation based upon the same set of facts. (1975, c. 521, s. 2; 1987, c. 827, s. 202; 1989 (Reg. Sess., 1990), c. 1036, s. 7; 1993, c. 539, s. 1025; 1994, Ex. Sess., c. 24, s. 14(c); 1998-215, s. 71.)</p>	<p>Department of Environmental Quality</p> <p>Subchapter 01E (Oil Refining Facility Permits) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 143-215.114B. Enforcement procedures: criminal penalties.</p> <p>...</p> <p>(f) Any person who negligently violates any classification, standard or limitation established pursuant to G.S. 143-215.107 or by G.S. 143-215.107D any term, condition, or requirement of a permit issued pursuant to G.S. 143-215.108 or of a special order or other appropriate document issued pursuant to G.S. 143-215.110 or any rule of the Commission implementing any of the said section, shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed fifteen thousand dollars (\$15,000) per day of violation, provided that such fine shall not exceed a cumulative total of two hundred thousand dollars (\$200,000) for each period of 30 days during which a violation continues.</p> <p>(g) Any person who knowingly and willfully violates any classification, standard, or limitation established in the rules of the Commission pursuant to G.S. 143-215.107; the emissions limitations set out in G.S. 143-215.107D; any term, condition, or requirement of a permit issued pursuant to G.S. 143-215.108; or of a special order or other appropriate document issued pursuant to G.S. 143-215.110, shall be guilty of a Class H felony, which may include a fine not to exceed one hundred thousand dollars (\$100,000) per day of violation, provided that this fine shall not exceed a cumulative total of five hundred thousand dollars (\$500,000) for each period of 30 days during which a violation continues. For the purposes of this subsection, the phrase "knowingly and willfully" shall mean intentionally and consciously as the courts of this State, according to the principles of common law, interpret the phrase in the light of reason and experience.</p> <p>(h) (1) Any person who knowingly violates any classification, standard, or limitation established in the rules of the Commission pursuant to G.S. 143-215.107; the emissions limitations set out in G.S. 143-215.107D; any term,</p>	<p>Environmental Management Commission</p> <p>Subchapters 02D (Air Pollution Control Requirements) and 02Q (Air Quality Permits Procedures) of 15A NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>condition, or requirement of a permit issued pursuant to G.S. 143-215.108; or of a special order or other appropriate document issued pursuant to G.S. 143-215.110 and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury shall be guilty of a Class C felony, which may include a fine not to exceed two hundred fifty thousand dollars (\$250,000) per day of violation, provided that this fine shall not exceed a cumulative total of one million dollars (\$1,000,000) for each period of 30 days during which a violation continues.</p> <p>....</p> <p>(1973, c. 821, s. 6; c. 1262, s. 23; c. 1331, s. 3; 1975, c. 19, s. 53; c. 842, ss. 6, 7; 1977, c. 771, s. 4; 1979, c. 545, ss. 4-6; 1987, c. 748, s. 2; c. 827, ss. 154, 212; 1989, c. 135, s. 8; 1989 (Reg. Sess., 1990), c. 1004, s. 49; c. 1045, s. 5; 1993, c. 539, ss. 1026, 1027, 1318, 1319, 1320; 1994, Ex. Sess., c. 24, s. 14(c); 2002-4, ss. 6-8.)</p>	
<p>§ 143-340. Powers and duties of Secretary.</p> <p>The Secretary of Administration has the following powers and duties:</p> <p>...</p> <p>(18) To adopt reasonable rules and regulations with respect to the parking of automobiles on all public grounds, subject to the approval of the Governor and Council of State, and to enforce those rules and regulations. Any person who violates a rule or regulation concerning parking on public grounds is guilty of a Class 1 misdemeanor. Upon the allocation of parking spaces to any agency pursuant to such rules and regulations, the agency shall adopt written guidelines governing the individual assignment of such parking spaces by the agency. Such guidelines shall give first priority treatment to the physically handicapped and to carpoolers and vanpoolers, however, first priority shall be given to those on call for duty at a time other than normal working hours. A copy of said guidelines shall be made available for inspection by any person upon request.</p> <p>....</p> <p>(1957, c. 215, s. 2; c. 269, s. 1; 1969, c. 627; c. 1267, s. 4; 1971, c. 280; c. 1097, s. 2; 1975, c. 204; c. 879, s. 46; 1977, c. 119; c. 288, s. 2; 1979, c. 901, ss. 1, 2; c. 930; 1981, c. 696; 1981 (Reg. Sess., 1982), c. 1239, s. 4; 1983, c. 406; c. 420, s. 7; 1987, c. 274; 1989, c. 239, s. 1; c. 644, s. 5; 1991, c. 542, s. 9; 1993, c. 539, s. 1029; 1994, Ex. Sess., c. 24, s. 14(c); 1997-513, s. 3; 1999-250, s. 1; 2001-424, s. 7.2(a); 2009-451, s. 17.3(b); 2010-96, s. 41.3; 2017-199, s. 2.)</p>	<p>Department of Administration</p> <p>Subchapter 04A (State-Owned Parking Lots) of 01 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 143-341. Powers and duties of Department.</p> <p>The Department of Administration has the following powers and duties:</p> <p>...</p> <p>(8) General Services:</p>	<p>Department of Administration</p> <p>Chapter 38 (Motor Fleet Management Division) of 01 NCAC.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>...</p> <p>i. To establish and operate a central motor fleet and such subsidiary related facilities as the Secretary may deem necessary, and to that end:</p> <p>...</p> <p>7. To adopt, with the approval of the Governor, reasonable rules for the efficient and economical operation, maintenance, repair, and replacement, as limited by sub-sub-subdivision 4. of sub-subdivision i. of this subdivision, of all state-owned motor vehicles under the control of the Department, and to enforce those rules; and to adopt, with the approval of the Governor, reasonable rules regulating the use of private motor vehicles upon State business by the officers and employees of State agencies, and to enforce those rules. The Department, with the approval of the Governor, may delegate to the respective heads of the agencies to which motor vehicles are permanently assigned by the Department the duty of enforcing the rules adopted by the Department pursuant to this sub-sub-subdivision. Any person who violates a rule adopted by the Department and approved by the Governor is guilty of a Class 1 misdemeanor. Nothing in this sub-subdivision shall be construed as prohibiting the Department from contracting with private vendors for short-term rental motor vehicles to be used by officers and employees of State agencies for State business.</p> <p>....</p> <p>(1957, c. 215, s. 2; c. 269, s. 1; 1959, c. 683, ss. 2-4; c. 1326; 1963, c. 1, s. 5; 1965, c. 1023; 1969, c. 1144, s. 2; 1971, c. 1097, s. 3; 1975, c. 399, ss. 1, 2; c. 879, s. 46; 1979, c. 136, s. 1; c. 544; 1979, 2nd Sess., c. 1137, s. 38; 1981, c. 300; c. 859, ss. 48-51; 1981 (Reg. Sess., 1982), c. 1282, s. 62; 1983, c. 267, s. 1; c. 717, s. 74; c. 761, ss. 58, 151, 173, 174; c. 923, s. 217; 1983 (Reg. Sess., 1984), c. 1034, s. 122; 1985, c. 479, ss. 168, 170, 174; c. 757, ss. 174, 175, 177; c. 791, s. 51; 1985 (Reg. Sess., 1986), c. 955, ss. 94, 94.1; 1987, c. 738, ss. 43-45, 47(a); c. 827, s. 220; c. 874; 1987 (Reg. Sess., 1988), c. 1086, s. 34(b); 1989, c. 58, s. 2; c. 239, s. 2; 1991, c. 542, s. 10; c. 689, s. 22; 1993, c. 539, s. 1030; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 97, s. 1; c. 402, s. 1; 1996, 2nd Ex. Sess., c. 18, s. 10.2; 1997-412, s. 6; 1998-45, s. 1; 2000-140, s. 76(g); 2000-153, s. 2; 2001-424, s. 7.4; 2001-496, s. 8(d); 2002-126, s. 19.2; 2003-177, s. 1; 2003-284, ss. 18.1, 46.3; 2003-314, s. 1.2; 2005-276, s. 6.25(b); 2005-300, s. 1; 2005-413, s. 3; 2006-203, ss. 96, 97; 2006-217, s. 1.1; 2007-420, s. 2; 2007-446, s. 5; 2009-241, s. 1; 2009-474, s. 5; 2010-167, s. 6; 2011-145, ss. 9.19, 19.1(g), 30.12(b); 2011-401, s. 5.1; 2013-360, s. 16B.4(c); 2016-29, s. 1; 2016-119, ss. 2(a), 3(b); 2017-10, s. 4.5; 2017-57, ss. 31.3(d), 36.8(a); 2018-5, s. 16.3; 2019-203, s. 11.)</p>	<p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
§ 143-345.1. Rules and regulations.	The Governor

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>The Governor, with the approval of the Council of State, shall adopt reasonable rules and regulations governing the use, care, protection, and maintenance of the public buildings and grounds (other than parking). Any person who violates a rule or regulation adopted by the Governor with the approval of the Council of State is guilty of a Class 1 misdemeanor. (1957, c. 215, s. 2; 1971, c. 1097, s. 4; 1993, c. 539, s. 1031; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>No rules found.</p>
<p>§ 143-355.6. Enforcement.</p> <p>...</p> <p>(d) The violation of emergency water conservation rules adopted by the Secretary pursuant to G.S. 143-355.3(b) is a Class 1 misdemeanor.</p> <p>....</p> <p>(2008-143, s. 11; 2010-180, s. 9.)</p>	<p>Department of Environmental Quality</p> <p>No rules found. [water shortage emergency rules]</p>
<p>§ 143-469. Penalties.</p> <p>(a) Any person who shall be adjudged to have violated any provision of this Article, or any regulation of the Board adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor. In addition, if any person continues to violate or further violates any provision of this Article after written notice from the Board, the court may determine that each day during which the violation continued or is repeated constitutes a separate violation subject to the foregoing penalties.</p> <p>....</p> <p>(1971, c. 832, s. 1; 1981, c. 592, s. 12; 1987, c. 559, s. 21; c. 827, s. 1; 1993, c. 539, s. 1035; 1994, Ex. Sess., c. 24, s. 14(c); 1995, c. 445, s. 10; 1997-261, s. 109; 1998-215, s. 26(a).)</p>	<p>Pesticide Board</p> <p>Subchapter 09L (Pesticide Section) of 02 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 143B-135.16. Control over State parks; operation of public service facilities; concessions to private concerns; authority to charge fees and adopt rules.</p> <p>(a) The Department shall make reasonable rules governing the use by the public of State parks and State lakes under its charge. These rules shall be posted in conspicuous places on and adjacent to the properties of the State and at the courthouse of the county or counties in which the properties are located. A violation of these rules is punishable as a Class 3 misdemeanor.</p> <p>...</p> <p>(f) The Department may grant to private individuals or companies concessions for operation of public service facilities for such periods and upon such conditions as the Department deems to be in the public interest. The Department may adopt reasonable rules for the regulation of the use by the public of the lands and waters under its charge and of the public service facilities and conveniences authorized under this section. A violation of these rules is punishable as a Class 3 misdemeanor.</p> <p>....</p>	<p>Department of Natural and Cultural Resources</p> <p>Subchapters 13A (Organization and Duties), 13B (Parks and Recreation Areas), 13C (State Lakes Regulations), and 13I (Natural Areas) of 07 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>Offense Codes 6445, 6446, 6447, 6448, 6449, 6450, and 6451 are listed under G.S. 143B-135.16 as <i>infractions</i>.</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
(1931, c. 111; 1947, c. 697; 1965, c. 1008, s. 2; 1969, c. 343; 1973, c. 547; c. 1262, ss. 28, 86; 1977, c. 771, s. 4; 1987, c. 827, s. 92; 1989, c. 727, s. 55; 1993, c. 539, ss. 830, 831; 1994, Ex. Sess., c. 24, s. 14(c); 1997-258, s. 2; 1997-443, s. 11A.119(a); 2003-284, ss. 35.1(b), 35.1A(a), 35.1A(b); 2004-124, s. 12.3(a); 2011-145, s. 13.25(n); 2012-93, s. 2(3); 2015-241, ss. 14.30(e), (l).)	<p>The following offense codes are listed under G.S. 143B-135.16 or G.S. 113-35, its predecessor section, as <i>misdemeanors</i>:</p> <p>4115 (Pos Alcohol in State Park), 4119 (Pos Alcohol in State Park), 6243 (Camping Violations), 6258 (Camping Violations), 6402 (Pos Alcohol in State Park), 6403 (Camping Violations), 6404 (Remove/Disturb/Etc Plant/Rock), 6405 (Coll Plant/Animal/Minrl No Per), 6406 (Unlawful Use Metal Detectors), 6407 (Swim/Wade/Bathe Undesign Area), 6408 (Public Nudity in Parks), 6409 (Carry/Dep Glass/Metal Pk Beach), 6410 (Dispose Hh/Bus Garbage Prk Cnt), 6411 (Ent/Rem Pk Bef/Aft Hrs w/o Per), 6412 (Bathe Animal/wash Clothes Park), 6413 (Drive Veh in Pk Not Des Veh Tr), 6414 (Dr Unlic Veh/Mtr/Mn-Bike in Pk), 6415 (Park in Undesignated Areas), 6416 (Lev Veh Unatt>12 Hr/Ongt No Pt), 6417 (Obstruct Traffic in a Park), 6418 (Boat/Raft/Canoe in Swim Area), 6419 (Launch Boat/Raft/Can Und Area), 6420 (Part Ath Contest Undesig Area), 6421 (Ride/Unload Horse Undesig Area), 6422 (Fishing in Undesignated Areas), 6423 (Fish w/o Paying Required Fees), 6424 (Coll Live Spec Fish Bait in Pk), 6425 (Set Fire Undesignated Place), 6426 (Set Fire When Proh by Park Emp), 6427 (Fail Tend Fire Designated Plac), 6428 (Prod Noise/Mus/Etc Ann/Dist Pk), 6429 (Poss/Cons/Sale Alc Bev in Park), 6430 (Poss/Cons/Sale Cont Sub Park), 6431 (Being Intoxicated in a Park), 6432 (All Animal Swim/Bath/Rest/Cab), 6433 (All Animal Unatt/Unleash Park), 6434 (All Animal Out Veh/Tent 9P-7A), 6435 (Engage Comm Ent in Pk No Perm), 6436 (Take Photo Comm in Pk No Perm), 6437 (Erect/Post Not/Adv Pk No Perm), 6438 (Meet/Cerem/Spech Pk No Perm), 6439 (Haras/Disturb Wildlife/Nest/Or), 6440 (Improper Attract/Feed Wildlife), 6441 (Rock Clmb/Rpl Unauth Plc/No Pt), 6442 (Moor/Impede Dock/Wharf/Oth), 6443 (Boating Access</p>

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	Area Viol), 6444 (Alc Bev Spcl Act Park Perm Vio), 6501 (Remove/Disturb/Etc Plant/Rock), 6502 (Coll Plant/Animal/Minrl No Per), 6503 (Unlawful Use Metal Detectors), 6504 (Rock Clmb/Rpl Undsg Area/No Pt), 6505 (Swim/Wade/Bathe Undesign Area), 6506 (Public Nudity in Parks), 6507 (Carry/Dep Glass/Metal Pk Beach), 6508 (Dispose Hh/Bus Garbage Prk Cnt), 6509 (Ent/Rem Pk Bef/Aft Hrs w/o Per), 6510 (Bathe Animal/Wash Clothes Park), 6511 (Drive Veh in Pk Not Des Veh Tr), 6512 (Dr Unlic Veh/Mtr/Mn-Bike in Pk), 6513 (Park in Undesignated Areas), 6514 (Lev Veh Unatt>12 Hr/Ongt No Pt), 6515 (Obstruct Traffic in a Park), 6516 (Boat/Raft/Canoe in Swim Area), 6517 (Launch Boat/Raft/Can Und Area), 6518 (Part Ath Contest Undesig Area), 6519 (Ride/Unload Horse Undesig Area), 6520 (Fishing in Undesignated Areas), 6521 (Fish w/o Paying Required Fees), 6522 (Coll Live Spec Fish Bait in Pk), 6523 (Set Fire Undesignated Place), 6524 (Set Fire When Proh by Park Emp), 6525 (Fail Tend Fire Designated Plac), 6526 (Prod Noise/Mus/Etc Ann/Dist Pk), 6527 (Poss/Cons/Sale Alc Bev in Park), 6528 (Poss/Cons/Sale Cont Sub Park), 6529 (Being Intoxicated in a Park), 6530 (All Animal Swim/Bath/Rest/Cab), 6531 (All Animal Unatt/Unleash Park), 6532 (All Animal Out Veh/Tent 9P-7A), 6533 (Engage Comm Ent in Pk No Perm), 6534 (Take Photo Comm in Pk No Perm), 6535 (Erect/Post Not/Adv Pk No Perm), 6536 (Meet/Cerem/Speech Pk No Perm), 6546 (Haras/Disturb Wildlife/Nest/Ot), 6547 (Improper Attract/Feed Wildlife), 6548 (Rock Clmb/Rpl Unauth Plc/No Pt), 6549 (Moor/Impede Dock/Wharf/Oth), 6550 (Boating Access Area Viol), 6551 (Alc Bev Spcl Act Park Perm Vio), 6552 (Remove/Disturb/Etc Plant/Rock), 6553 (Coll Plant/Animal/Minrl No Per), 6554 (Unlawful Use Metal Detectors), 6555 (Swim/Wade/Bathe Undesign Area), 6556

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
	<p>(Public Nudity in Parks), 6557 (Carry/Dep Glass/Metal Pk Beach), 6558 (Dispose Hh/Bus Garbage Prk Cnt), 6559 (Ent/Rem Pk Bef/Aft Hrs w/o Per), 6560 (Bathe Animal/Wash Clothes Park), 6561 (Drive Veh in Pk Not Des Veh Tr), 6562 (Dr Unlic Veh/Mtr/Mn-Bike in Pk), 6563 (Park in Undesignated Areas), 6564 (Lev Veh Unatt>12 Hr/Ongt No Pt), 6565 (Obstruct Traffic in a Park), 6566 (Boat/Raft/Canoe in Swim area), 6567 (Launch Boat/Raft/Can Und Area), 6568 (Part Ath Contest Undesig Area), 6569 (Ride/Unload Horse Undesig Area), 6570 (Fishing in Undesignated Areas), 6571 (Fish w/o Paying Required Fees), 6572 (Coll Live Spec Fish Bait in Pk), 6573 (Set Fire Undesignated Place), 6574 (Set Fire Whe Proh by Park Emp), 6575 (Fail Tend Fire Designated Plac), 6576 (Prod Noise/Mus/Etc Ann/Dist Pk), 6577 (Poss/Cons/Sale Alc Bev in Park), 6578 (Poss/Cons/Sale Cont Sub Park), 6579 (Being Intoxicated in a Park), 6580 (All Animal Swim/Bath/Rest/Cab), 6581 (All Animal Unatt/Unleash Park), 6582 (All Animal Out Veh/Tent 9P-7A), 6583 (Engage Comm Ent in Pk No Perm), 6584 (Take Photo Comm in Pk No Perm), 6585 (Erect/Post Not/Adv Pk No Perm), 6586 (Meet/Cerem/Speech Pk No Perm), 6587 (Haras/Disturb Wildlife/Nest/Or), 6588 (Improper Attract/Feed Wildlife), 6589 (Rock Clmb/Rpl Unauth Plc/No Pt), 6590 (Moor/Impede Dock/Wharf/Oth), 6591 (Boating Access Area Viol), and 6592 (Alc Bev Spcl Act Park Perm Vio).</p> <p>All of these offense codes appear to refer to rule violations.</p> <p>In FY 2018-2019, for the misdemeanor offense codes, there were 0 cases filed in superior court and 286 cases filed in district court.</p>
§ 143B-135.168. Violations. ...	Department of Natural and Cultural Resources

Statute Criminalizing Violation of Rules or Regulations (highlighting in longer statutes indicates relevant language; shading of entire row indicates that cases were filed)	Agency/Rules/Offense Code/Cases Filed
<p>(b) Penalties. – Whoever violates, fails, neglects or refuses to obey any provision of this Part or rule or order of the Secretary is guilty of a Class 3 misdemeanor and may be punished only by a fine of not more than fifty dollars (\$50.00) for each violation, and each day such person shall fail to comply, where feasible, after having been officially notified by the Department shall constitute a separate offense subject to the foregoing penalty. (1971, c. 1167, s. 2; 1973, c. 1262, s. 86; 1977, c. 771, s. 4; 1987, c. 827, s. 125; 1989, c. 727, s. 124; 1993, c. 539, s. 872; 1994, Ex. Sess., c. 24, s. 14(c); 2015-241, ss. 14.30(f), (m).)</p>	<p>Subchapter 13F (Natural and Scenic Rivers Program) of 07 NCAC.</p> <p>Overall, the rules do not appear to be duplicative of the statutes.</p> <p>No offense code found.</p>
<p>§ 147-33.3. Orders, rules and regulations.</p> <p>All orders, rules and regulations promulgated by the Governor pursuant to this Article shall have the full force and effect of law from and after the date of the filing of a duly authenticated copy thereof in the office of the Secretary of State. All laws, ordinances, rules and regulations, insofar as they are inconsistent with the provisions of this Article or of any rule, order or regulation made pursuant to this Article, shall be suspended during the period of time and to the extent that such conflict exists. A violation of any such order, rule or regulation, unless otherwise provided therein, shall be deemed a Class 1 misdemeanor. (1943, c. 706, s. 3; 1959, c. 337, s. 6; 1993, c. 539, s. 1054; 1994, Ex. Sess., c. 24, s. 14(c).)</p>	<p>The Governor</p> <p>No rules found. [Emergency war powers of Governor]</p>

For Offense Code 9999 (Other – Free Text), in FY 2018-2019, there were 86 cases filed in superior court and 1,179 cases filed in district court.