

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH30258-RT-23 (04/01)

Short Title: Rules Subj. to Legislative Review/Summaries. (Public)

Sponsors: Representative Gibson.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH RULE SUBJECT TO LEGISLATIVE DISAPPROVAL.

The General Assembly of North Carolina enacts:

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

"(b) Permanent Rule. –

(1) A permanent rule approved by the Commission becomes effective on the earlier of the thirty-first legislative day or the day of adjournment of the next regular session of the General Assembly that begins at least 25 days after the date the Commission approved the rule, unless a different effective date applies under this section. If a bill that specifically disapproves the rule is introduced in either house of the General Assembly before the thirty-first legislative day of that session, the rule becomes effective on the earlier of either the day an unfavorable final action is taken on the bill or the day that session of the General Assembly adjourns without ratifying a bill that specifically disapproves the rule. If the agency adopting the rule specifies a later effective date than the date that would otherwise apply under this subsection, the later date applies. A permanent rule that is not approved by the Commission or that is specifically disapproved by a bill enacted into law before it becomes effective does not become effective.

(2) A bill specifically disapproves a rule if it contains a provision that refers to the rule by appropriate North Carolina Administrative Code citation and states that the rule is disapproved. Notwithstanding any rule of either house of the General Assembly, any member of the

1 General Assembly may introduce a bill during the first 30 legislative
2 days of any regular session to disapprove a rule that has been approved
3 by the Commission and that either has not become effective or has
4 become effective by executive order under subsection (c) of this
5 section.

6 (3) Each agency that adopts a rule that is subject to legislative disapproval
7 under this subsection shall prepare a concise summary of the purpose
8 and effect of the rule. The summary shall be prepared in the manner
9 prescribed by the Commission and shall be submitted to the
10 Commission within 15 days after the Commission approves the rule.
11 The Commission shall compile the summary of each rule that is
12 subject to legislative disapproval into one document and shall transmit
13 a copy of the document to each member of the General Assembly on
14 or before the first day of the legislative session during which those
15 rules are subject to legislative disapproval."

16 **SECTION 2.** This act is effective when it becomes law.