

H74 Periodic Review and Expiration of Rules

STEP 1

[G.S. 150B-21.3A(c)(1)]

Agency Reviews Existing Rules **"Step 1(a)"**

- Agency's rulemaking coordinator receives the report (an Excel spreadsheet) from RRC Staff by email.
- Rulemaking coordinator has 10 business days to respond regarding any errors or missing rules.

Agency Reviews Existing Rules **"Step 1(b)"**

- First agency meeting to make determination classifying each rule in the report for public comment.
- Classifications are: (1) unnecessary; (2) necessary without substantive public interest; or (3) necessary with public interest.

Agency Accepts Public Comments for 60 Days **"Step 1(c)"**

Agency Posts Report on
Agency's Website **"Step 1(c)"**

See 26 NCAC 05 .0206

Agency Provides Report to
RRC to be Posted on RRC's
Website **"Step 1(c)"**

See 26 NCAC 05 .0206

Agency Must Notify Interested
Persons **"Step 1(c)"**

See 26 NCAC 05 .0207

Agency Reviews and Responds to Public Comments **"Step 1(d)"**

- Second agency meeting to review comments received. Responses should be provided by the agency to comments that are objecting to a Rule.
- Agency to make determination classifying each rule in the report after consideration of the public comments.
- Classifications are: (1) unnecessary; (2) necessary without substantive public interest; or (3) necessary with public interest.

Agency Submits Report, Written Comments, and Classifications to RRC **"Step 1(e)"**

- 26 NCAC 05 .0211 sets the RRC review date. The date contained within the Rule is not the date the Agency files the report with the RRC.
- Agency must file the complete Report with the RRC on the 15th of the month prior to the month and year set forth in 26 NCAC 05 .0211.

No review by agency
Rule expires

STEP 2

[G.S. 150B-21.3A(c)(2)]

RRC reviews report
and written comments

RRC submits report
to APO

STEP 3

[G.S. 150B-21.3A(c)(3)]

APO consultation

APO does not meet
within 60 days

Committee recommends
new review

Rule remains
in Code

Agency initiates
readoption of rule

Unnecessary rule
expires

RRC determination
effective

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