

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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**HOUSE BILL 1207
Committee Substitute Favorable 4/29/03**

Short Title: Rules Subj. to Legislative Review/Summaries.

(Public)

Sponsors:

Referred to:

April 10, 2003

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND
2 PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH
3 RULE SUBJECT TO LEGISLATIVE DISAPPROVAL AND TO PROVIDE THAT
4 A BILL THAT SPECIFICALLY DISAPPROVES A RULE IS NOT SUBJECT TO
5 THE CROSSOVER DEADLINE.
6

7 The General Assembly of North Carolina enacts:

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

9 "(b) Permanent Rule. –

10 (1) A permanent rule approved by the Commission becomes effective on
11 the earlier of the thirty-first legislative day or the day of adjournment
12 of the next regular session of the General Assembly that begins at least
13 25 days after the date the Commission approved the rule, unless a
14 different effective date applies under this section. If a bill that
15 specifically disapproves the rule is introduced in either house of the
16 General Assembly before the thirty-first legislative day of that session,
17 the rule becomes effective on the earlier of either the day an
18 unfavorable final action is taken on the bill or the day that session of
19 the General Assembly adjourns without ratifying a bill that specifically
20 disapproves the rule. If the agency adopting the rule specifies a later
21 effective date than the date that would otherwise apply under this
22 subsection, the later date applies. A permanent rule that is not
23 approved by the Commission or that is specifically disapproved by a
24 bill enacted into law before it becomes effective does not become
25 effective.

26 (2) A bill specifically disapproves a rule if it contains a provision that
27 refers to the rule by appropriate North Carolina Administrative Code
28 citation and states that the rule is disapproved. Notwithstanding any
29 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. Notwithstanding any rule of either house of the General
6 Assembly, once a bill that specifically disapproves a rule has been
7 introduced in accordance with this subsection, that bill shall be eligible
8 for consideration in the house in which the bill is introduced until the
9 day of adjournment and, if passed by that house, shall be eligible for
10 consideration in the other house until the day of adjournment.

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

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