

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1207

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

Sponsors: Representative Gibson.

Referred to: Rules, Calendar, and Operations of the House.

April 10, 2003

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THE PREPARATION, COMPILATION, AND
3 PRESENTATION TO THE GENERAL ASSEMBLY OF SUMMARIES OF EACH
4 RULE SUBJECT TO LEGISLATIVE DISAPPROVAL.

5 The General Assembly of North Carolina enacts:

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

7 "(b) Permanent Rule. –

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

24 (2) A bill specifically disapproves a rule if it contains a provision that
25 refers to the rule by appropriate North Carolina Administrative Code
26 citation and states that the rule is disapproved. Notwithstanding any
27 rule of either house of the General Assembly, any member of the
28 General Assembly may introduce a bill during the first 30 legislative
29 days of any regular session to disapprove a rule that has been approved

1 by the Commission and that either has not become effective or has
2 become effective by executive order under subsection (c) of this
3 section.

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

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