

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Department of Public Safety

RULE CITATION: 14B NCAC 05B .0203

DEADLINE FOR RECEIPT: May 9, 2025

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In (a), lines 4-5, consider moving “upon completion of the selection process” to the beginning of the second sentence. The sentence would start, “Upon completion of the selection process, all applicants...”

Line 5, spell out “GMS” since it’s the first time used in this Rule. Also, consider replacing “that” with “whether.”

In (b), line 7, and elsewhere in this Rule, please specify whether you intend for the number of days to be calendar or business days (e.g., 30 “business” days).

Lines 12-13, “certification” by whom is required? Also, what does “non-supplanting” mean in this context? Is this term defined in a rule or law?

Line 13, consider deleting “of.” What is the definition of an “equal employment opportunity program” and where is it found?

Line 15, add “the” before “implementing.”

Line 17, add a space after “(6)” to align the beginning of each subparagraph. Also, who will conduct the “annual audit of the program?”

In (c), line 18, consider replacing “conveyed” with “disbursed.”

In (d), line 21, consider beginning the sentence with, “The length of the grant period...”

In (e), line 23, is “may” or “shall” intended?

Line 24, consider deleting the comma after “system”, add “and”, and change “providing” to “provide.”

Where is the grant “application” found? By what rule are the substantive requirements adopted? See G.S. 150B-2(8a) d.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

1 14B NCAC 05B .0203 is adopted as follows:

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3 **14B NCAC 05B .0203 ADMINISTRATION OF GRANTS**

4 (a) The Commission staff shall administer grants as funds are available. All applicants shall be notified in writing or
5 electronic communication through the GMS system upon completion of the selection process that the application has
6 been approved or denied.

7 (b) Within 30 days of receipt of award notification, the applicant shall submit the grant compliance and
8 modification information. An applicant may request an extension of no more than 60 days to submit the information.
9 An applicant who does not provide the required information shall be ineligible for grant funding. For the purposes of
10 this Rule, grant compliance and modification information includes the following:

- 11 (1) a list of grant conditions that were agreed to by an authorizing official of the applicant;
12 (2) a certification of non-supplanting;
13 (3) a certification of filing of an equal employment opportunity program;
14 (4) a memorandum of agreement or contract with any cooperating government agencies;
15 (5) an original signature of all authorizing officials, implementing project director, and the applicant's
16 chief financial officer; and
17 (6) a signed agreement to submit to an annual audit of the program.

18 (c) Funds shall be conveyed to grantees through Grant Award Contracts. The Grant Award Contract shall bear the
19 original signature of the grantee's authorizing official and the Executive Director of the Commission. The Grant
20 Award Contract shall be signed and returned to the Department within 30 days.

21 (d) ~~The grant period for the project shall be for a period of up to two years.~~ The grant period shall coincide with the
22 ~~start and close of the federal fiscal year, if possible.~~ guidance provided by the granting entity.

23 (e) Requests for adjustments to approved applications may be made at any time up to 90 days before the project's
24 scheduled termination date. These requests shall be made through the GMS system, providing an explanation for
25 proposed amendments.

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27 *History Note: Authority G.S. 143B-602(8); 143B-1103; 143B-1104;*
28 *Eff. March 1, 2019;*
29 *Amended Eff. April 1, ~~2023-2023~~;*
30 *Amended Eff. June 1, 2025.*