

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

AGENCY: Department of Public Safety

RULE CITATION: 14B NCAC 05B .0201

DEADLINE FOR RECEIPT: August 6, 2024

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:

Line 6: Explain the agency's authority to delegate its ability to adopt rules to the Commission Executive Director. "Requirements" are rules and should be adopted in accordance with the Administrative Procedures Act.

Lines 10-12: As written, the agency could announce the grant submission deadlines one day before the deadline. Was that the agency's intention?

Lines 13-14: It appears that the "application" is an on-line form. By what rule are the substantive requirements adopted? See G.S. 150B-2(8a)d. It appears you are getting rid of those in Lines 17-29.

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

William W. Peaslee
Commission Counsel
Date submitted to agency: July 23, 2024

1 14B NCAC 05B .0201 is amended as follows:

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3 **SECTION .0200 - PROGRAM GRANTS**

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5 **14B NCAC 05B .0201 APPLICATIONS FOR GRANTS**

6 (a) The Executive Director of the Commission shall designate requirements for submission of grant applications. ~~The~~
7 ~~grant application period shall begin on November 1 of each year and end on January 31.~~ Funding priorities, as
8 determined by the Commission, shall be listed on the Commission's website prior to the opening of an application
9 period.

10 (b) Grant application submission dates shall be announced on the Commission website, [https://www.ncdps.gov/about-](https://www.ncdps.gov/about-dps/boards-and-commissions/governors-crime-commission/grant-process)
11 ~~dps/boards-and-commissions/governors-crime-commission/grant-process~~ ~~not less than 90 days~~ before the application
12 is due.

13 (c) Grant applications shall be electronically submitted to the Commission through the Grants Management System
14 (GMS) on or before the date announced on the Commission website.

15 ~~(d) To be considered for funding, applicants shall complete the grant application, which shall include the following~~
16 ~~information:~~

17 (1) ~~names, mailing addresses, telephone numbers, and signatures of the applicant;~~

18 (2) ~~project information, including the following:~~

19 (A) ~~a description of the project, its goals and objectives, and outcomes;~~

20 (B) ~~the issues or problems addressed by the project;~~

21 (C) ~~project operation and activities; and~~

22 (D) ~~a sustainability plan;~~

23 (3) ~~a proposed budget;~~

24 (4) ~~a project time line;~~

25 (5) ~~an explanation of how the project's results will be monitored and evaluated;~~

26 (6) ~~any other information required by these Rules or requested by the Section in order to make a decision~~
27 ~~on the grant proposal; and~~

28 (7) ~~a description of how the objectives of the proposed project are consistent with the outcomes and~~
29 ~~guidelines set forth in a State or federal grant program.~~

30 ~~(e)(d)~~ Applicants seeking funding for a two-year project shall submit the information required by Paragraph (d) with
31 the requirements of Part (d)(2)(A), Part (d)(2)(C), and Subparagraph (d)(5) written to address the two year grant
32 period. Applicants shall also submit two one-year budgets.

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34 *History Note: Authority G.S. 143B-1103; 143B-1104;*

35 *Eff. March 1, 2019;*

36 *Amended Eff. April 1, 2023.*

37 *Amended Eff. August 1, 2024.*

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

AGENCY: Department of Public Safety

RULE CITATION: 14B NCAC 05B .0501

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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:

Line 9: Define "off cycle grant."

Line 11: Declared by whom? Pursuant to what?

Line 12: Define "fiscal agent."

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

William W. Peaslee
Commission Counsel
Date submitted to agency: July 23, 2024

1 14B NCAC 05B .0501 is adopted as follows:

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SUBCHAPTER 05B

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SECTION .0500 – EXCEPTIONS

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6 **14B NCAC 05B .0501 WAIVER**

7 The Secretary may waive any rule in this Subchapter that is not statutorily required. Factors the Secretary shall use in
8 determining whether to waive a rule are:

9 (1) the need to comply with a legislatively mandated or other off cycle grant;

10 (2) the nonrecurring use of expiring funds;

11 (3) a declared emergency; or

12 (4) when the Commission is acting solely as a fiscal agent.

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14 History Note: Authority G.S. 143B-602(5); 143B-602(8)(b)

15 Eff. August 1, 2024.

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