

**G.S. 150B-21.3A Report for 18 NCAC 06, Securities Division**

Agency - Department of the Secretary of State

Comment Period - April 2, 2024 - June 3, 2024

Date Submitted to APO - Filled in by RRC staff

| Subchapter                        | Rule Section                       | Rule Citation              | Rule Name          | Date and Last Agency Action on the Rule  | Agency Determination [150B-21.3A(c)(1)a]   | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation                            |  |
|-----------------------------------|------------------------------------|----------------------------|--------------------|--|--|---|--|--|
| SUBCHAPTER 06A – RECODIFIED RULES | SECTION .1100 - GENERAL PROVISIONS | 18 NCAC 06A .1101          | LOCATION AND HOURS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary  | No  |  |  |
|                                   |                                    | 18 NCAC 06A .1102          | PURPOSE            | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary  | No  |  |  |
|                                   |                                    | 18 NCAC 06A .1104          | DEFINITIONS        | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary  | No  |  |  |
|                                   |                                    | SECTION .1200 - EXEMPTIONS | 18 NCAC 06A .1202  | RECOGNIZED SECURITIES MANUALS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary   | No   |  |
|                                   |                                    |                            | 18 NCAC 06A .1203  | INFORMATION FILED BY REGISTERED DEALER   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary   | Yes<br>If yes, include the citation to the federal law | Securities Act of 1933; Securities Act of 1934, ss. 13, 14, 15 |
|                                   |                                    |                            | 18 NCAC 06A .1205  | LIMITED OFFERINGS PURSUANT TO G.S. 78A-17(9)   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary   | Yes<br>If yes, include the citation to the federal law | 17 C.F.R. 230.504 and 17 C.F.R 230.505                         |
|                                   |                                    |                            | 18 NCAC 06A .1206  | LIMITED OFFERING EXEMPTION PURSUANT TO G.S. 78A-17(17)   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Unnecessary   | No   |  |
|                                   |                                    |                            | 18 NCAC 06A .1207  | DISQUALIFICATIONS FROM RELIANCE UPON CERTAIN EXEMPTIONS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary   | No   |  |
|                                   |                                    |                            | 18 NCAC 06A .1208  | TRANSACTIONS EXEMPT UNDER RULE .1206: FILING REQUIREMENTS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Unnecessary   | No   |  |

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|------------|---|-------------------|---|--|--|---|---|
|            |   | 18 NCAC 06A .1209 | NONPROFIT SECURITIES  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Philanthropy Protection Act of 1995, 15 U.S.C.S. § 80a-3a |
|            |   | 18 NCAC 06A .1210 | SECURITIES EXCHGS/AUTO QUOTATION SYS APPROVED/ADMINISTRATOR             | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1211 | NOTICE FILING PROCEDURES FOR RULE 506 OFFERINGS                         | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Securities Act of 1933, s. 18(b)(4)(D)                    |
|            |   | 18 NCAC 06A .1212 | NOTICE FILING PROCEDURES FOR OFFERINGS OF INVESTMENT COMPANY SECURITIES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Securities Act of 1933, s. 18(b)(2)                       |
|            |   | 18 NCAC 06A .1213 | TRANSACTIONAL EXEMPTION PURSUANT TO G.S. 78A-17(19)                     | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            | <b>SECTION .1300 - REGISTRATION OF SECURITIES</b> | 18 NCAC 06A .1301 | REGISTRATION BY NOTIFICATION  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1302 | REGISTRATION BY COORDINATION  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1303 | REGISTRATION BY QUALIFICATION   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1304 | SECURITIES REGISTRATION AND FILING FEES                                 | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |

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|------------|--------------|-------------------|---|--|--|---|-----------------------------|
|            |              | 18 NCAC 06A .1305 | SPONSORSHIP BY DEALER                                   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1306 | CONFIRMATION OF REGISTRATION                            | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1307 | COMMISSIONS AND EXPENSES                                | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1308 | ADVERTISING   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1310 | OFFERING PRICE  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1313 | REGISTRATION OF DIRECT PARTICIPATION PROGRAM SECURITIES | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1314 | ESCROW AGREEMENTS                                       | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1315 | NOTICE OF COMPLETION OF OFFERING/FINAL SALES REPORT     | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .1316 | LEGENDS REQUIRED  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |

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|------------|---|-------------------|---|--|--|---|-----------------------------|
|            |   | 18 NCAC 06A .1317 | AMENDMENT OF FILINGS                                  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1318 | AUTOMATIC WITHDRAWAL OF APPLICATION FOR REGISTRATION  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1319 | REQUIRED DISCLOSURES: VIATICAL SETTLEMENT CONTRACTS   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1320 | VIATICAL SETTLEMENT CONTRACT SUITABILITY REQUIREMENTS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            | <b>SECTION .1400 - REGISTRATION OF DEALERS AND SALESMEN</b> | 18 NCAC 06A .1401 | APPLICATION FOR REGISTRATION OF DEALERS               | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1402 | APPLICATION FOR REGISTRATION OF SALESMEN              | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1403 | TERMINATION OF REGISTRATION OF DEALER                 | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1404 | CHANGE IN NAME OF DEALER                              | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1405 | DEALER MERGER/CONSOLIDATION/ACQUISITION/SUCCESSION    | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |

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|------------|--------------|-------------------|---|--|--|---|--|
|            |              | 18 NCAC 06A .1406 | EXPIRATION AND RENEWAL OF DEALER REGISTRATION         | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .1407 | EXPIRATION AND RENEWAL OF SALESMAN'S REGISTRATION     | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .1408 | TERMINATION OF SALESMAN'S REGISTRATION                | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .1410 | MINIMUM FINANCIAL REQUIREMENTS FOR DEALERS            | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 C.F.R. 240.15c3-1, 17 C.F.R. 240.15c3-2, and 17 C.F.R. 240.15c3-3 |
|            |              | 18 NCAC 06A .1411 | RECORD KEEPING REQUIREMENTS FOR DEALERS               | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 15 U.S.C. 78o and 17 C.F.R. 240.17a-3 and 17 C.F.R. 240.17a-4        |
|            |              | 18 NCAC 06A .1412 | FINANCIAL STATEMENTS                                  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 C.F.R. 240.17a-5, 17 C.F.R. 240.17a-10 and 17 C.F.R. 240.17a-11   |
|            |              | 18 NCAC 06A .1413 | SALESMAN EXAMINATION REQUIRED                         | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .1414 | DISHONEST/UNETHICAL PRACTICES OF DEALERS AND SALESMEN | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .1415 | REGISTRATION OF PARTNERS/EXECUTIVE OFFICERS/DIRECTORS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |

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|------------|---|-------------------|--|--|--|---|-----------------------------|
|            |   | 18 NCAC 06A .1416 | REPORTING REQUIREMENTS OF DEALERS AND SALESMEN                                   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1417 | APPLICATION FOR LIMITED REGISTRATION OF CANADIAN SECURITIES DEALERS AND SALESMEN | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            | <b>SECTION .1500 - MISCELLANEOUS PROVISIONS</b> | 18 NCAC 06A .1501 | RESCISSION OFFERS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1502 | APPLICATION TO EXCHANGE SECURITIES   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1503 | FORM OF CONSENT TO SERVICE OF PROCESS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1504 | REQUEST FOR INTERPRETATIVE OPINIONS: NO-ACTION LETTERS                           | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1507 | IMPLICATIONS OF REGISTRATION OR EXEMPTION  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1508 | FAILURE TO FURNISH INFORMATION   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |   | 18 NCAC 06A .1510 | LIMITED LIABILITY COMPANY MEMBERSHIP INTERESTS AS SECURITIES                     | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |

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|------------|---|-------------------|--|--|--|---|--|
|            | <b>SECTION .1700 - REGISTRATION OF INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES</b> | 18 NCAC 06A .1701 | DEFINITIONS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1702 | APPLICATION FOR INVESTMENT ADVISER REGISTRATION/NOTICE FILING FOR INVESTMENT ADVISER COVERED UNDER FEDERAL LAW | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 C.F.R. 279.1                            |
|            |   | 18 NCAC 06A .1703 | APPLICATION/INVESTMENT ADVISER REPRESENTATIVE REGISTRATION   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1704 | MINIMUM FINANCIAL REQUIREMENTS FOR INVESTMENT ADVISERS   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1705 | BONDING REQUIREMENTS FOR CERTAIN INVESTMENT ADVISERS   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1706 | RECORD-KEEPING REQUIREMENTS FOR INVESTMENT ADVISERS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Investment Company Act of 1940, s. 2(a)(9) |
|            |   | 18 NCAC 06A .1707 | INVESTMENT ADVISER BROCHURE RULE   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 C.F.R. 279.1                            |
|            |   | 18 NCAC 06A .1708 | FINANCIAL REPORTING REQUIREMENTS FOR INVESTMENT ADVISERS   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |

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|------------|---|-------------------|--|--|--|---|--|
|            |   | 18 NCAC 06A .1709 | EXAM REQUIRE/INVESTMENT ADVISERS: REPRESENTATIVES          | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1710 | TERMINATION/WITHDRAWAL/INVESTMENT ADVISER REGISTRATIONS    | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1713 | INVEST ADVISER MERGER/CONSOLIDATION/ACQUISITION/SUCCESSION | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1715 | INVESTMENT ADVISER REGISTRATION DEPOSITORY                 | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |
|            |   | 18 NCAC 06A .1717 | CASH PAYMENTS FOR CLIENT SOLICITATIONS                     | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Investment Company Act of 1940, ss. 203(e), 203(e) Paragraphs (1), (5) or (6) and 203(e)(2)(A)-(D)                                     |
|            | <b>SECTION .1800 - MISCELLANEOUS PROVISIONS - INVESTMENT ADVISERS</b> | 18 NCAC 06A .1801 | DISHONEST OR UNETHICAL PRACTICES                           | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | National Securities Markets Improvement Act of 1996; Investment Advisers Act of 1940, s. 215 and Rules 206(4)-1, 206(4)-2, 206(4)-2(b) |
|            |   | 18 NCAC 06A .1802 | CUSTODY/CLIENT FUNDS OR SECURITIES BY INVESTMENT ADVISERS  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Securities Exchange Act of 1934, s. 15, 17 C.F.R. 240.15c3-1   |
|            |   | 18 NCAC 06A .1803 | AGENCY CROSS TRANSACTIONS                                  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |  |

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|------------|---|-------------------|--|--|--|---|---|
|            |   | 18 NCAC 06A .1804 | EXEMPTION/SECTION 78C-8(A)(3)/CERTAIN BROKER-DEALERS | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1805 | PERFORMANCE-BASED COMPENSATION EXEMPTION             | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1806 | TRANSACTIONS DEEMED NOT TO BE ASSIGNMENTS            | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1807 | REQUEST FOR INTERPRETATIVE OPINIONS                  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1808 | SUPERVISION OF INVESTMENT ADVISER REPRESENTATIVES    | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .1810 | FORM OF CONSENT TO SERVICE OF PROCESS                | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |   |
|            | <b>SECTION .2000 – INVEST NC EXEMPTION (CROWDFUNDING)</b> | 18 NCAC 06A .2001 | PURPOSE  | Eff. April 1, 2017   | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .2002 | SCOPE  | Eff. April 1, 2017   | Necessary                                | No  |   |
|            |   | 18 NCAC 06A .2003 | DEFINITIONS  | Eff. April 1, 2017   | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Public Law 87-722 (12 U.S.C. 92a, Securities Act of 1933 s.3(a)(11), 15 U.S.C. § 77c(a)(11), 17 C.F.R. § 230.147. |

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|------------|--------------|-------------------|--|---|--|---|--|
|            |              | 18 NCAC 06A .2004 | EXEMPTION LIMITATIONS  | Eff. April 1, 2017                      | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | Securities Act of 1933 s. 2(a)(15)(ii), 15 U.S.C. 77b(a)(15)(ii), 17 CFR 230.501, 17CFR 229,1101(c ) |
|            |              | 18 NCAC 06A .2005 | COUNTING SALES   | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2007 | ISSUER FILING REQUIREMENTS   | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2008 | NOTICE OF INTRASTATE CLAIM OF EXEMPTION FORM REQUIREMENTS          | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2009 | SIGNING FORM NCE   | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2010 | CONTENT OF DISCLOSURE DOCUMENT                                     | Eff. April 1, 2017                      | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 CFR 230.147(f)(3), 17 CFR 230-147A(f)(3)  |
|            |              | 18 NCAC 06A .2011 | REQUIRED STATEMENTS TO INCLUDE IN ISSUER DISCLOSURE DOCUMENT       | Eff. April 1, 2017                      | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 C.F.R. 230.504 and 17 C.F.R 230.505   |
|            |              | 18 NCAC 06A .2012 | CIRCUMSTANCES WHEN ADDITIONAL DISCLOSURE DOCUMENT CONTENT REQUIRED | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2013 | ISSUER TO CEASE OFFERING AND AMEND THE DISCLOSURE DOCUMENT         | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2014 | FACTORS CONSIDERED WHEN REVIEWING THE CLAIM OF EXEMPTION           | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2015 | ADMINISTRATOR'S NOTICE OF COMPLIANCE                               | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2016 | DENIAL OR REVOCATION OF THE EXEMPTION                              | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2017 | ESCROW ACCOUNT   | Eff. April 1, 2017                      | Necessary                                | No  |  |
|            |              | 18 NCAC 06A .2018 | ISSUER TO PROVIDE INFORMATION TO THE ESCROW AGENT                  | Eff. April 1, 2017                      | Necessary                                | No  |  |

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Agency - Department of the Secretary of State

Comment Period - April 2, 2024 - June 3, 2024

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| Subchapter | Rule Section | Rule Citation     | Rule Name  | Date and Last Agency Action on the Rule | Agency Determination [150B-21.3A(c)(1)a] | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation         |
|------------|--------------|-------------------|--|---|--|---|-------------------------------------|
|            |              | 18 NCAC 06A .2019 | TERMS OF ESCROW AGREEMENT  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2020 | REVIEW OF THE ESCROW AGREEMENT   | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2021 | ADMINISTRATOR'S REJECTION OF ESCROW AGREEMENT  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2022 | ADMINISTRATOR NOTICE OF APPROVAL OR REJECTION OF ESCROW AGREEMENT  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2023 | ESCROW AGENT DUTIES, RESPONSIBILITIES, AND STANDARDS OF CONDUCT  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2024 | NOTICE TO ADMINISTRATOR MINIMUM OFFERING AMOUNT REACHED, FUNDS RELEASED FROM THE ESCROW ACCOUNT, AND TERMINATION OF ESCROW AGREEMENT | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2025 | CONTENT OF NOTICE OF RELEASE OF FUNDS FROM ESCROW ACCOUNT  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2026 | REGISTERED DEALER ACTING AS AN ESCROW AGENT  | Eff. April 1, 2017                      | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 CFR 240.15c2-4, 17 CFR 240.10b-9 |
|            |              | 18 NCAC 06A .2027 | ESCROW AGENT REQUIREMENTS  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2028 | TREATMENT OF INFORMATION   | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2030 | FUNDING PORTAL REGISTRATION  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2031 | CONTENTS OF FORM NCFP  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2032 | REQUIRED FUNDING PORTAL ATTESTATIONS   | Eff. April 1, 2017                      | Necessary                                | No  |                                     |
|            |              | 18 NCAC 06A .2033 | REVIEW OF THE FUNDING PORTAL REGISTRATION  | Eff. April 1, 2017                      | Necessary                                | No  |                                     |

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|------------|--------------|-------------------|---|---|--|---|-----------------------------|
|            |              | 18 NCAC 06A .2034 | ADMINISTRATOR DENIAL OR REVOCATION OF FUNDING PORTAL REGISTRATION | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2035 | ADMINISTRATOR NOTICE OF EFFECTIVE FUNDING PORTAL REGISTRATION     | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2036 | FUNDING PORTAL NOTICE TO ADMINISTRATOR OF changes                 | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2037 | FUNDING PORTAL FINANCIAL INTEREST IN ISSUER                       | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2038 | FUNDING PORTAL DENIAL OF ACCESS                                   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2039 | FUNDING PORTAL STANDARDS OF CONDUCT                               | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2041 | LIMITATIONS ON GENERAL SOLICITATION AND ADVERTISING               | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2042 | MEDIA COVERAGE OF A SECURITIES OFFERING USING THE EXEMPTION       | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2043 | MANDATORY CONTENT REQUIREMENT IN PERMITTED ADVERTISING NOTICE     | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2044 | OTHER REQUIREMENTS FOR PERMITTED ADVERTISING NOTICES              | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2045 | ESTABLISHING A PLATFORM   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2046 | INDIVIDUALS NOT SUBJECT TO DEALER REGISTRATION                    | Eff. April 1, 2017                      | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 CFR 240.3a4-1            |
|            |              | 18 NCAC 06A .2047 | RETENTION OF PLATFORM COMMUNICATIONS                              | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2048 | ADMINISTRATION OF PLATFORM COMMUNICATION CHANNELS                 | Eff. April 1, 2017                      | Necessary                                | No  |                             |

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|------------|--------------|-------------------|---|---|--|---|-----------------------------|
|            |              | 18 NCAC 06A .2049 | ADDITIONAL COMMUNICATION CHANNEL REQUIREMENTS   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2051 | PROVIDING Documents TO PROSPECTIVE INVESTORS AND INVESTORS                                  | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2052 | MANNER OF PROVIDING DISCLOSURE AND OTHER DOCUMENTS TO A PROSPECTIVE INVESTOR OR AN INVESTOR | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2053 | ISSUER SHALL REQUIRE INVESTOR ACTIONS   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2054 | INVESTOR CANCELLATION OF INVESTMENT COMMITMENT  | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2055 | RELEASE OF FUNDS IN ESCROW ACCOUNT  | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2056 | ISSUER NOTICE TO INVESTORS MINIMUM OFFERING AMOUNT REACHED                                  | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2057 | QUARTERLY REPORTS   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2058 | CONCLUSION OF THE OFFERING  | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2060 | ISSUER RECORDKEEPING REQUIREMENTS   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2061 | FUNDING PORTAL RECORDKEEPING REQUIREMENTS   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2062 | REQUIREMENT FOR RETENTION OF ORIGINAL OR EQUIVALENT   | Eff. April 1, 2017                      | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2063 | PROTECTION OF INVESTORS AGAINST FRAUD AND OTHER MISCONDUCT                                  | Eff. April 1, 2017                      | Necessary                                | No  |                             |

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|------------|---|-------------------|---|---|--|---|--------------------------------|
|            |   | 18 NCAC 06A .2064 | INTEGRATION   | Eff. April 1, 2017                            | Necessary                                | Yes<br>If yes, include the citation to the federal law                  | 17 CFR 230.147, 17 CFR 230.152 |
|            |   | 18 NCAC 06A .2065 | REQUEST FOR WAIVER  | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2066 | FACTORS ADMINISTRATOR MAY CONSIDER WITH REGARD TO WAIVER REQUESTS | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2067 | ADMINISTRATOR NOTICE OF APPROVAL OR DENIAL OF A WAIVER            | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2068 | SIGNATURES  | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2069 | ELECTRONIC SIGNATURE  | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2070 | SIGNATURE VERIFIES INFORMATION IS TRUE                            | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2071 | FILING WITH THE ADMINISTRATOR                                     | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2073 | FILING ELECTRONICALLY   | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2074 | AMENDING A DOCUMENT FILED WITH THE ADMINISTRATOR                  | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2075 | ABANDONMENT OR WITHDRAWAL OF FILING                               | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2076 | CALCULATION OF TIME   | Eff. April 1, 2017                            | Necessary                                | No  |                                |
|            | <b>SECTION .2100 – RULES FOR LOCAL PUBLIC OFFERINGS (LPO)</b> | 18 NCAC 06A .2101 | PURPOSE   | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2102 | SCOPE   | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2103 | DEFINITIONS   | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2104 | LPO LIMITATIONS   | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                                |
|            |   | 18 NCAC 06A .2105 | MANDATORY CONFERENCE  | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                                |

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|------------|--------------|-------------------|---|---|--|---|-----------------------------|
|            |              | 18 NCAC 06A .2106 | FILING REQUIREMENTS FOR LPO   | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2107 | CONTENTS OF FORM NCE-LPO  | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2108 | ADDITIONAL LEGEND REQUIREMENT FOR DISCLOSURE DOCUMENT                           | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2109 | ESCROW PROVISIONS   | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2110 | OPTIONAL USE OF INTERNET BY AN ISSUER OF AN LPO                                 | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2111 | GENERAL SOLICITATION AND ADVERTISING FILING REQUIREMENTS                        | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2112 | GENERAL SOLICITATION AND ADVERTISING FOR WHICH FILING IS REQUIRED               | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2113 | GENERAL SOLICITATION AND ADVERTISING FOR WHICH FILING IS NOT REQUIRED           | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2114 | UNACCEPTABLE GENERAL SOLICITATION AND ADVERTISING                               | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2115 | ADMINISTRATOR ADVISORY REVIEW OF GENERAL SOLICITATION AND ADVERTISING MATERIALS | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2116 | RECORDKEEPING REQUIREMENTS  | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2117 | PROHIBITED LPO ISSUER BUSINESSES  | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06A .2118 | ADMINISTRATOR MAY CONSIDER CERTAIN OTHER BUSINESS STRUCTURES                    | Eff. April 1, 2017 to expire on April 1, 2026 | Necessary                                | No  |                             |

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|--|---|-------------------|---|--|--|---|-----------------------------|
|  |   | 18 NCAC 06A .2119 | REVIEW OF THE ISSUER BUSINESS STRUCTURE               | Eff. April 1, 2017 to expire on April 1, 2026  | Necessary                                | No  |                             |
|  |   | 18 NCAC 06A .2120 | SUNSET PROVISION                                      | Amended Eff. February 1, 2021  | Necessary                                | No  |                             |
| <b>SUBCHAPTER 06B – GENERAL</b>                                  | <b>SECTION .0100 – PURPOSE</b>            | 18 NCAC 06B .0101 | SCOPE   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|  |   | 18 NCAC 06B .0102 | ADMINISTRATION  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|  | <b>SECTION .0200 – CONSOLIDATED RULES</b> | 18 NCAC 06B .0201 | SENIOR DESIGNATION AS DISHONEST OR UNETHICAL PRACTICE | Amended Eff. October 1, 2019   | Necessary                                | No  |                             |
| <b>SUBCHAPTER 06C – INVESTIGATIONS, ENFORCEMENT AND HEARINGS</b> |   | 18 NCAC 06C .0101 | LETTER OF INQUIRY                                     | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|  |   | 18 NCAC 06C .0102 | INVESTIGATIVE SUBPOENAS                               | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|  |   | 18 NCAC 06C .0103 | ADMINISTRATIVE HEARINGS                               | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|  |   | 18 NCAC 06C .0104 | SETTLEMENT  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|  |   | 18 NCAC 06C .0105 | ARTICLE 3A CONTESTED CASE PROCEDURES                  | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |

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|------------|--------------|-------------------|--------------------|--|--|---|-----------------------------|
|            |              | 18 NCAC 06C .0106 | TEMPORARY ORDERS   | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06C .0107 | CONDUCT OF HEARING | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |
|            |              | 18 NCAC 06C .0108 | FINAL ORDER        | Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016 | Necessary                                | No  |                             |