

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

AGENCY: North Carolina Office of the State Auditor

RULE CITATION: 03 NCAC 01 .0301

DEADLINE FOR RECEIPT: May 9, 2022

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:

Page 1, Lines 9 through 10: Do you want a petitioner to provide a citation along with a draft or summary? Or is a citation to the rule alone sufficient? Should "with either" be added between "repeal" and "a draft"? In that event the comma after "repeal" would be removed.

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: April 27, 2022

1 03 NCAC 01 .0301 is adopted as published in 36:14 NCR 1198 as follows:

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3 **03 NCAC 01 .0301. PETITIONS FOR RULEMAKING**

4 (a) Any person may request the adoption of a new rule, or the amendment or repeal of an existing
5 rule promulgated by the Office of the State Auditor by addressing a petition to the Rulemaking
6 Coordinator, Office of the State Auditor, 20601 Mail Service Center, Raleigh, N.C. 27699-0600.

7 (b) The petition must be titled “Petition for Rulemaking” and contain the following information:

8 (1) name, address and email address of each petitioner;

9 (2) a citation to any rule petitioner desires to amend or repeal, a draft of the proposed rule or
10 amendment, or a summary of the major elements of a proposed rule.

11 (c) The petition may contain the following information:

12 (1) the reason for submitting the petition;

13 (2) the anticipated cost factors;

14 (3) any additional data supporting the petition.

15 (d) Within 30 days of submission of the petition, the State Auditor, or deputy pursuant to G.S. 147-
16 64.10, shall render a final decision. If the decision is to deny the petition, the petitioner shall be notified in
17 writing, stating the reasons for the denial and refer to the appeal rights set forth in G.S. 150B-20(d). If the
18 decision is to grant the petition, written notice of the decision shall be provided as set forth in G.S. 150B-
19 20(c) and rulemaking proceedings shall be initiated.

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21 *History Note: Authority G.S. 147-64.9, 150B-20;*

22 *Eff. June 1, 2022.*

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