SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 02 .0110 ACTIONS OF COUNTY BOARD AS TO ELECTION PROTESTS

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: Feb. 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/02/17/public-comment-period-opens-proposed-rules-regarding-observers-election-protests-recounts
Hearing on: March 6, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 19, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: S.L 2023-140
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: The amendments to the rule set forth deadlines for county boards of elections in the consideration of election protest and clarify certain procedures for providing notice to the affected parties in an election protest. This rule amendment was adopted as a temporary rule in 2024, and the agency is proposing to make the amendments permanent. The purpose of these amendments is to ensure that election protests are handled expeditiously and uniformly by county boards.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 09 .0107 FIRST RECOUNT

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: Feb. 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/02/17/public-comment-period-opens-proposed-rules-regarding-observers-election-protests-recounts
Hearing on: March 6, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 19, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: S.L 2023-140
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This is a proposed amendment to the rule governing an initial recount, to ensure that such recounts begin without unnecessary delay. This rule amendments were adopted as a temporary rule in 2024, and the agency is proposing to make these amendments permanent.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 09 .0110 SECONDARY RECOUNTS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: Feb. 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/02/17/public-comment-period-opens-proposed-rules-regarding-observers-election-protests-recounts
Hearing on: March 6, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 19, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law: S.L 2023-140
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This rule would ensure that any secondary recounts begin without unnecessary delay. This rule was adopted as a temporary rule in 2024, and the agency is proposing to make it permanent.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 20 .0101 CHALLENGE TO THE APPOINTMENT OF AN OBSERVER

3. Action:
☐ ADOPTION ☒ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☒ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☒ No

6. Notice for Proposed Rule:

☒ Notice Required
Notice of Text published on: Feb. 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/02/17/public-comment-period-opens-proposed-rules-regarding-observers-election-protests-recounts
Hearing on: March 6, 2025
☒ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on: June 19, 2025
☐ Notice not required under G.S.:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ No

8. Fiscal impact. Check all that apply.

☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☒ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☒ Legislation enacted by the General Assembly
Cite Session Law: S.L 2023-140
☐ Petition for rule-making
☐ Other:

9B. Explain: This rule is proposed as a total replacement of a prior permanent rule, to provide fair procedures for the handling of challenges to the appointment of election observers, which is required by G.S. 163-45.1, a statute enacted as part of S.L. 2023-140. The prior rule has been rendered mostly obsolete by the enactment of this statute. This rule amendment was adopted as a temporary rule in 2024, and the agency is proposing to make this rule amendment permanent.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 20 .0102 APPEAL OF REMOVAL OF AN OBSERVER FROM A VOTING SITE

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: Feb. 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/02/17/public-comment-period-opens-proposed-rules-regarding-observers-election-protests-recounts
Hearing on: March 6, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 19, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☒ **Legislation enacted by the General Assembly**
Cite Session Law: S.L 2023-140
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: This rule is proposed to provide fair procedures for the handling of appeals from the removal of an election observer from the polling place, as required by G.S. 163-45.1. This rule was adopted as a temporary rule in 2024, and the agency is proposing to make this rule permanent.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: State Board of Elections

2. Rule citation & name (name not required for repeal): 08 NCAC 20 .0103 IDENTIFICATION OF OBSERVERS

3. Action:
☒ **ADOPTION** ☐ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: Feb. 17, 2025
Link to Agency notice: https://www.ncsbe.gov/news/press-releases/2025/02/17/public-comment-period-opens-proposed-rules-regarding-observers-election-protests-recounts
Hearing on: March 6, 2025
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: June 19, 2025
☐ **Notice not required under G.S.:**

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☒ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☒ **Legislation enacted by the General Assembly**
Cite Session Law: S.L 2023-140
☐ **Petition for rule-making**
☐ **Other:**

9B. Explain: As permitted by G.S. 163-45.1, this rule is proposed to require election observers to wear identification tags to inform election officials and voters of the observer's role at the polling place. This rule was adopted as a temporary rule in 2024, and the agency is proposing to make this rule permanent.

10. Rulemaking Coordinator: Paul Cox
P.O. Box 27255, Raleigh, NC 27611
Phone: 919-814-0717
E-Mail: paul.cox@ncsbe.gov

Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:

Francis X De Luca

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Francis De Luca
Title: Chair

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Medical Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 13F .1604/Rating Calculation

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 4/15/25
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 5/14/25
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/18/25
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☒ **Other:**

9B. Explain: These two rules outline the standards for how the star rating is calculated for North Carolina's adult care home (13F .1604) and family care home (13G .1604) facilities pursuant to the N.C. Star Rated Certificate Program. These rules were approved for readoption by the Rules Review Commission on January 30, 2025, to become effective August 1, 2025. After approval of the rules, an error was identified in each of these rules whereby the incorrect general statute was referenced for specific situations in which a facility with suspended admissions would not receive any demerit points or merit points. The proposed changes will correct the error, thereby clarifying the circumstances for which demerit and merit points will or will not be imposed. The changes will revert this portion of the rule back to the original language.

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Shalisa Jones

Phone: 704-589-6214
E-Mail: Shalisa.jones@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:

Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: N.C. Medical Care Commission

2. Rule citation & name (name not required for repeal): 10A NCAC 13G .1604/Rating Calculation

3. Action:
☐ **ADOPTION** ☒ **AMENDMENT** ☐ **REPEAL** ☐ **READOPTION** ☐ **REPEAL through READOPTION**

4. Rule exempt from RRC review?
☐ **Yes. Cite authority:**
☒ **No**

5. Rule automatically subject to legislative review?
☐ **Yes. Cite authority:**
☒ **No**

6. Notice for Proposed Rule:

☒ **Notice Required**
Notice of Text published on: 4/15/25
Link to Agency notice: https://info.ncdhhs.gov/dhsr/ruleactions.html
Hearing on: 5/14/25
☒ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 6/18/25
☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☒ **No**

8. Fiscal impact. Check all that apply.

☒ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☒ **Approved by OSBM**
☐ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☒ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☒ **Other:**

9B. Explain: These two rules outline the standards for how the star rating is calculated for North Carolina's adult care home (13F .1604) and family care home (13G .1604) facilities pursuant to the N.C. Star Rated Certificate Program. These rules were approved for readoption by the Rules Review Commission on January 30, 2025, to become effective August 1, 2025. After approval of the rules, an error was identified in each of these rules whereby the incorrect general statute was referenced for specific situations in which a facility with suspended admissions would not receive any demerit points or merit points. The proposed changes will correct the error, thereby clarifying the circumstances for which demerit and merit points will or will not be imposed. The changes will revert this portion of the rule back to the original language.

10. Rulemaking Coordinator: Shanah Black

Phone: 919-855-3481
E-Mail: shanah.black@dhhs.nc.gov

Additional agency contact, if any: Shalisa Jones

Phone: 704-589-6214
E-Mail: Shalisa.jones@dhhs.nc.gov

11. Signature of Agency Head* or Rule-making Coordinator:

Shanah F Black

By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Shanah Black
Title: Rule-making Coordinator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Interpreter and Transliterator Licensing Board

2. Rule citation & name (name not required for repeal):
21 NCAC 25 .0701 Schedule of Penlaties

3. Action:
☑ ADOPTION ☐ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:
☑ Notice Required
Notice of Text published on: 3/21/2025
Link to Agency notice: https://ncitlb.org/proposed-rule-change-0701/
Hearing on: 5/7/2025
☐ The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.
Adoption by Agency on:
☐ Notice not required under G.S.:
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)
☐ Yes
Agency submitted request for consultation on:
Consultation not required. Cite authority:
☑ No

8. Fiscal impact. Check all that apply.
☐ This Rule was part of a combined analysis.
☐ State funds affected
☐ Local funds affected
☐ Substantial economic impact (≥$1,000,000)
☐ Approved by OSBM
☑ No fiscal note required

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:
☑ Agency
☐ Court order / cite:
☐ Federal statute / cite:
☐ Federal regulation / cite:
☐ Legislation enacted by the General Assembly
Cite Session Law:
☐ Petition for rule-making
☐ Other:

9B. Explain:
The schedule of penalties that was in place has not been updated since this Board was founded. The Board requested that these penalties be increased.

10. Rulemaking Coordinator:
Caitlin Schwab
Phone: 919-77-5709
E-Mail:
ncitlb@caphill.com
Additional agency contact, if any:
Benjamin Busch
Phone:
E-Mail:
bbusch@ncdoj.gov

11. Signature of Agency Head* or Rule-making Coordinator:
Caitlin Schwab
By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: Caitlin Schwab
Title: NCITLB Board Administrator

RRC AND OAH USE ONLY

Action taken:
☐ RRC extended period of review:
☐ RRC determined substantial changes:
☐ Withdrawn by agency
☐ Subject to Legislative Review
☐ Other:

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: North Carolina Board of Examiners for Engineers and Surveyors

2. Rule citation & name (name not required for repeal):
21 NCAC 56 .1602

3. Action:
☐ ADOPTION ☑ AMENDMENT ☐ REPEAL ☐ READOPTION ☐ REPEAL through READOPTION

4. Rule exempt from RRC review?
☐ Yes. Cite authority:
☑ No

5. Rule automatically subject to legislative review?
☐ Yes. Cite authority:
☑ No

6. Notice for Proposed Rule:

☑ **Notice Required**
Notice of Text published on: March 3, 2025
Link to Agency notice: https://www.ncbels.org/news/notice-of-text-amendments-to-board-rules-1602-and-1607/
Hearing on: April 16, 2025
☑ **The requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency's Web site no later than the publication date of the notice of text in the N.C. Register.**
Adoption by Agency on: 5/21/2025

☐ **Notice not required under G.S.:**
Adoption by Agency on:

7. Rule establishes or increases a fee? (See G.S. 12-3.1)

☐ **Yes**
Agency submitted request for consultation on:
Consultation not required. Cite authority:

☑ **No**

8. Fiscal impact. Check all that apply.

☐ **This Rule was part of a combined analysis.**
☐ **State funds affected**
☐ **Local funds affected**
☐ **Substantial economic impact (≥$1,000,000)**
☐ **Approved by OSBM**
☑ **No fiscal note required**

9. REASON FOR ACTION

9A. What prompted this action? Check all that apply:

☑ **Agency**
☐ **Court order / cite:**
☐ **Federal statute / cite:**
☐ **Federal regulation / cite:**
☐ **Legislation enacted by the General Assembly**
Cite Session Law:
☐ **Petition for rule-making**
☐ **Other:**

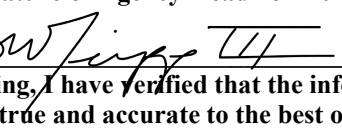
9B. Explain:

The Board seeks to amend 21 NCAC 56 .1602 to clarify when the method of area computation must be stated on a plat prepared by a surveyor.

10. Rulemaking Coordinator:
S. Wesley Tripp III
Phone: 919-791-2000, Ext. 111
E-Mail:
wtripp@ncbels.org
Additional agency contact, if any:

Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:



By signing, I have verified that the information contained on this form is true and accurate to the best of my knowledge.

***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: S. Wesley Tripp III
Title: Board Counsel and Rulemaking Coordinator

RRC AND OAH USE ONLY

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☐ Withdrawn by agency
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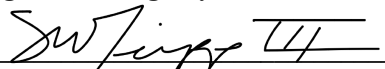
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