

**G.S. 150B-21.3A Report for 26 NCAC 02, RULES DIVISION**

Agency - Office of Administrative Hearings

Comment Period - 1/15/26 - 3/16/26

Date Submitted to APO - May 29, 2026

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	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 02C - SUBMISSION PROCEDURES FOR RULES AND OTHER DOCUMENTS TO BE PUBLISHED IN THE NORTH CAROLINA REGISTER AND THE NORTH CAROLINA ADMINISTRATIVE CODE	SECTION .0100 - GENERAL	26 NCAC 02C .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0102	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0103	ORIGINAL AND DUPLICATE COPY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0105	ELECTRONIC VERSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0106	REFUSAL OF PUBLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0107	RULE-MAKING COORDINATOR AND MAILING LIST	Amended Eff. November 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0108	GENERAL FORMAT INSTRUCTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0109	CITATION TO AUTHORITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0110	ILLUSTRATIONS/NOTES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0111	WAIVER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0113	AUTHORIZATION FOR SIGNATURE	Amended Eff. October 1, 2022	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0114	AGENCY FINAL COPY	Amended Eff. November 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0115	NOTIFICATION OF CONSULTATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		SECTION .0200 - CODIFICATION OF RULES	26 NCAC 02C .0201	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted
		26 NCAC 02C .0202	CODIFICATION SYSTEM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0203	SUBCHAPTER SUBDIVISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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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	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		26 NCAC 02C .0204	SECTION SUBDIVISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0205	RULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0206	RULE SUBDIVISION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0207	LISTING WITHIN RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0300 - THE NORTH CAROLINA REGISTER</b>	26 NCAC 02C .0301	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0302	SUBMISSION AND PUBLICATION SCHEDULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0303	AVAILABILITY OF THE NORTH CAROLINA REGISTER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0306	PUBLICATION OF NOTICE OF TEXT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0307	OTHER NOTICES FOR PUBLICATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0308	ELECTRONIC FILING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	<b>SECTION .0400 NORTH CAROLINA ADMINISTRATIVE CODE</b>	26 NCAC 02C .0401	SCOPE AND AVAILABILITY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0402	PUBLICATION OF A PERMANENT RULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0403	SUBMISSION FOR PERMANENT RULE FORM	Amended Eff. November 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0404	INTRODUCTORY STATEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0405	BODY OF THE RULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0406	HISTORY NOTE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0407	CHANGES TO RULE, SECTION OR CHAPTER NAMES AND HISTORY NOTES	Amended Eff. November 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0408	RECODIFICATION OF RULES	Amended Eff. November 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		26 NCAC 02C .0409	TRANSFER OF RULES TO ANOTHER AGENCY	Amended Eff. November 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - TEMPORARY RULES	26 NCAC 02C .0501	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0502	PUBLICATION OF A TEMPORARY RULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0503	TEMPORARY RULEMAKING FINDINGS OF NEED FORM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 - EMERGENCY RULES	26 NCAC 02C .0601	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0602	PUBLICATION OF AN EMERGENCY RULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0603	EMERGENCY RULE FINDINGS OF NEED FORM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0604	APPEARANCE BY AGENCY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - PUBLICATION ON THE OAH WEBSITE	26 NCAC 02C .0701	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0702	PUBLICATION OF A RULE ON THE OAH WEBSITE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		26 NCAC 02C .0703	PUBLICATION FORM	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt