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

AGENCY: Secretary of State

RULE CITATION: 18 NCAC 01D .0101

**DEADLINE FOR RECEIPT: November 19, 2026**

***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:

> *Rewrite this rule to be in active voice instead of passive. I.e. "A person aggrieved who is seeking a declaratory ruling pursuant to G.S. 150B-4(a) shall submit a written request to the Department in accordance with the rules in this subchapter."*

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

Seth Ascher
Commission Counsel
Date submitted to agency: November 13, 2026

18 NCAC 01D .0101 is adopted with changes as published in 41:01 NCR 33-34 as follows:

## SUBCHAPTER 01D REQUESTS FOR DECLARATORY RULINGS ~~(RESERVED)~~

### SECTION .0100 – GENERAL PROCEDURES ~~(RESERVED)~~

### 18 NCAC 01D .0101 ~~ELIGIBILITY TO SUBMIT A~~ WRITTEN REQUEST REQUIRED FOR A DECLARATORY RULING

~~A person aggrieved, as defined in G.S. 150B-2(6), may submit a~~ A written request for a declaratory ruling shall be submitted to the Department ~~for a declaratory ruling~~ by a person aggrieved who is seeking a declaratory ruling pursuant to G.S. 150B-4(a). ~~as to the validity of a rule or as to the applicability to a given state of facts of a statute administered by the Department or of a departmental rule or any inconsistent interpretation of a rule by the Department.~~

*History Note:* *Authority G.S. 10B-4; 10B-36(e); 10B-38; 10B-125(b); 10B-126; 10B-134.15; 10B-134.21; 10B-134.23(b); 25-9-526; 55D-5; 66-58.10; 66-71.9; 66-270; 78A-49; 78C-30; 78C-105; 78D-27; 80-1.1; 80-9; 93B-15.1(g); 102-117; 120C-101; 131F-5; 131F-15; 131F-16; 131F-18; 131F-33; 147-54.3; 147-54.4; 150B-4;*
*Eff. December 1, 2026.*

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

AGENCY: Secretary of State

RULE CITATION: 18 NCAC 01D .0303

**DEADLINE FOR RECEIPT: November 19, 2026**

***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:

*Do you need paragraph (b) lines 6 and 7 of this rule? 18 NCAC 01D .0301(c) defines "complete", and not complete would seem to be the ordinary definition of incomplete.*

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

Seth Ascher
Commission Counsel
Date submitted to agency: November 13, 2026

18 NCAC 01D .0303 is adopted with changes as published in 41:01 NCR 35 as follows:

**18 NCAC 01D .0303 REQUEST RECEIPT DATE**

(a) ~~The Department shall mark a~~ A declaratory ruling request ~~as~~ is "received" on the date on which the Department ~~received a complete request.~~ determines that it includes the information required by the rules in this Subchapter.

(b) An incomplete request is ~~received on the date that~~ one that is delivered to the Department ~~received all~~ without the information ~~necessary for the request~~ required by the rules in this Subchapter in order to be complete.

*History Note:* *Authority G.S. 10B-4; 10B-36(e); 10B-38; 10B-125(b); 10B-126; 10B-134.15; 10B-134.21; 10B-134.23(b); 25-9-526; 55D-5; 66-58.10; 66-71.9; 66-270; 78A-49; 78C-30; 78C-105; 78D-27; 80-1.1; 80-9; 93B-15.1(g); 102-117; 120C-101; 131F-5; 131F-15; 131F-16; 131F-18; 131F-33; 147-54.3; 147-54.4; 150B-4;*
*Eff. December 1, 2026.*