

TITLE 26 – OFFICE OF ADMINISTRATIVE HEARINGS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Rules Review Commission intends to adopt the rule cited as 26 NCAC 05 .0116.

Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.oah.nc.gov/rules-division/rules-review-commission>

Proposed Effective Date: *October 1, 2024*

Instructions on How to Demand a Public Hearing: *(must be requested in writing within 15 days of notice): A public hearing on the proposed rule will be held if the agency receives a written request for said hearing within 15 days after the notice of text is published. Requests for a hearing can be emailed to Travis.wiggs@oah.nc.gov*

Reason for Proposed Action: *The rule seeks to ensure state agencies are complying with G.S. 150B-19.1(c). The proposed rule aims to prevent state agencies from removing information required for rule-making from their websites prior to being reviewed by the Rules Review Commission.*

Comments may be submitted to: *Travis Wiggs, 1711 New Hope Church Rd, Raleigh, NC 27609; email travis.wiggs@oah.nc.gov*

Comment period ends: *August 31, 2024*

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- State funds affected
- Local funds affected
- Substantial economic impact (\geq \$1,000,000)
- Approved by OSBM
- No fiscal note required

CHAPTER 05 - RULES REVIEW COMMISSION

SECTION .0100 - GENERAL

26 NCAC 05 .0116 ATTESTATION OF COMPLIANCE WITH RULE-MAKING REQUIREMENTS

(a) An agency shall attest that the requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency Web site no later than the publication date of the notice of text for a proposed rule in the North Carolina Register.

(b) Failure to comply with this Rule shall be grounds for objection to the proposed rule pursuant to G.S. 150B-21.9(a)(4).

*History Note: Authority G.S. 143B-30.1;
Eff. October 1, 2024.*

26 NCAC 05 .0116 ATTESTATION OF COMPLIANCE WITH RULE-MAKING REQUIREMENTS

(a) An agency shall attest that the requirements listed in G.S. 150B-19.1(c)(1)-(5) were posted on the agency Web site no later than the publication date of the notice of text for a proposed rule in the North Carolina Register.

(b) Failure to comply with this Rule shall be grounds for objection to the proposed rule pursuant to G.S. 150B-21.9(a)(4).

*History Note: Authority G.S. 143B-30.1;
Eff.*