

1 12 NCAC 10B .0101 is amended **with changes** as published in 40:13 NCR 1068-1069 as follows:

2
3 **SUBCHAPTER 10B - N.C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION**

4
5 **SECTION .0100 - COMMISSION ORGANIZATION AND PROCEDURES**

6
7 **12 NCAC 10B .0101 LOCATION**

8 The staff supporting the N.C. Sheriffs' Education and Training Standards Commission is established within the
9 Department of Justice and is located at 1700 Tryon Park Drive in Raleigh, North Carolina. The mailing address is:

10
11 North Carolina Sheriffs' Education and Training Standards Commission

12 ~~Post Office~~ P.O. Box 629

13 Raleigh, North Carolina 27602

14 Telephone (919) 779-8213

15
16 *History Note: Authority G.S. **17E-5**; 17E-6;*

17 *Eff. January 1, 1989;*

18 *Amended Eff. January 1, 2013; August 1, 1998;*

19 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
20 *2018.*

21 *Amended Eff. ~~March~~ **May 1**, 2026.*

1 12 NCAC 10B .0104 is repealed **with changes** as published in 40:13 NCR 1068-1069 as follows:

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3 12 NCAC 10B .0104 SHERIFFS' STANDARDS DIVISION

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5 *History Note:* Authority G.S. 17E-6;

6 Eff. January 1, 1989;

7 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,

8 2018.

9 ~~/Repeal/~~ **Repealed** Eff. ~~/March/~~ **May 1, 2026.**

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1 12 NCAC 10B .0105 is repealed **with changes** as published in 40:13 NCR 1068-1069 as follows:

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3 **12 NCAC 10B .0105 ADMINISTRATIVE HEARING PROCEDURES**

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5 *History Note: Authority G.S. 17E-9(b); 150B-20; 150B-21.6; 150B-38(h); 150B-40;*

6 *Eff. January 1, 1989;*

7 *Amended Eff. January 1, 1996; January 1, 1994;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
9 *2018.*

10 ~~*[Repeal]*~~ **Repealed** *Eff. ~~[March]~~ **May** 1, 2026.*

11

1 12 NCAC 10B .0106 is amended with changes as published in 40:13 NCR 1068-1069 as follows:

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3 12 NCAC 10B .0106 PROCEDURES FOR PETITIONS FOR ~~RULE-MAKING~~ RULEMAKING

4 In addition to the procedures set out in G.S. 150B-20, Petitions for ~~Rule-Making~~ Rulemaking shall be submitted to
5 the Commission and shall contain:

- 6 (1) petitioner's name, ~~address~~ address, and telephone number;
- 7 (2) a draft of the proposed rule or rule change;
- 8 (3) the reason for its proposal;
- 9 (4) the effect of the proposal on existing rules or decisions;
- 10 (5) data supporting the proposal;
- 11 (6) practices likely to be affected by the proposal; and
- 12 (7) a list or description of persons likely to be affected by the proposed rule.

13

14 *History Note: Authority G.S. 150B-20; 17E-4;*

15 *Eff. January 1, 1990;*

16 *Amended Eff. January 1, 1993;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
18 *2018.*

19 *Amended Eff. ~~March~~ May 1, 2026.*

20

1 12 NCAC 10B .0106 is amended **with changes** as published in 40:13 NCR 1068-1069 as follows:

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3 **12 NCAC 10B .0106 PROCEDURES FOR PETITIONS FOR ~~RULE-MAKING~~ RULEMAKING**

4 In addition to the procedures set out in G.S. 150B-20, Petitions for ~~Rule-Making~~ Rulemaking shall be submitted to
5 the Commission and shall contain:

- 6 (1) petitioner's name, ~~address~~ address, and telephone number;
- 7 (2) a draft of the proposed rule or rule change;
- 8 (3) the reason for its proposal;
- 9 (4) the effect of the proposal on existing rules or decisions;
- 10 (5) data supporting the proposal;
- 11 (6) practices likely to be affected by the proposal; and
- 12 (7) a list or description of persons likely to be affected by the proposed rule.

13

14 *History Note: Authority G.S. 150B-20; 17E-4;*

15 *Eff. January 1, 1990;*

16 *Amended Eff. January 1, 1993;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
18 *2018.*

19 *Amended Eff. [March] May 1, 2026.*

20

1 12 NCAC 10B .0107 is amended **with changes** published in 40:13 NCR 1068-1069 as follows:

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3 **12 NCAC 10B .0107 PROCEDURES FOR PETITIONS FOR DECLARATORY RULINGS**

4 (a) In addition to the procedures set out in G.S. 150B-4, ~~Petitions for Declaratory Rulings~~ petitions for declaratory
5 rulings shall be submitted to the Commission and shall contain:

- 6 (1) petitioner's name, ~~address~~ address, and telephone number;
- 7 (2) the ~~statute(s), rule(s)~~ statutes, rules, or both to which the request relates;
- 8 (3) ~~all~~ facts and information which are relevant to the request;
- 9 (4) a concise statement of the manner in which petitioner has been aggrieved;
- 10 (5) a draft of the ~~Declaratory Ruling~~ declaratory ruling sought by ~~petitioner~~ petitioner, ~~(if if a specified~~
11 ~~outcome is sought by~~ petitioner); petitioner;
- 12 (6) practices likely to be affected by the ~~Declaratory Ruling~~; declaratory ruling;
- 13 (7) a list or description of persons likely to be affected by the ~~Declaratory Ruling~~; declaratory ruling;
- 14 and
- 15 (8) a statement as to whether the petitioner desires to present oral argument (~~not to exceed 30 minutes~~),
16 to the Commission prior to its decision.

17 (b) The Commission ~~may shall~~ refuse to issue a ~~Declaratory Ruling~~ declaratory ruling when:

- 18 (1) the petition does not comply with Paragraph (a) of this Rule;
- 19 (2) the Commission has previously issued a ~~Declaratory Ruling~~ declaratory ruling on substantially
20 similar facts;
- 21 (3) the Commission has previously issued a ~~Final Agency Decision~~ final agency decision in a contested
22 case on substantially similar facts;
- 23 (4) the facts underlying the request for a ~~Declaratory Ruling~~ declaratory ruling were specifically
24 considered at the time of the adoption of the rule in question; or
- 25 (5) the subject matter of the request is involved in pending litigation.

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27 *History Note: Authority G.S. 150B-4;*

28 *Eff. January 1, 1990;*

29 *Amended Eff. August 1, 1998;*

30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. March 6,*
31 *2018.*

32 *Amended Eff. ~~March 7~~ May 1, 2026.*