

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

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**HOUSE BILL 1230\***

Short Title: APA Rules: Increasing Costs Prohibition. (Public)

Sponsors: Representatives Gibson; Cole, Gillespie, Lucas, Tolson, Tucker, and Wilkins.

Referred to: State Government/State Personnel, if favorable, Environment and Natural Resources, if favorable, Judiciary I.

April 9, 2009

1 A BILL TO BE ENTITLED  
2 AN ACT TO LIMIT NEW AGENCY REGULATORY REQUIREMENTS.  
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 150B-19 is amended by adding a new subdivision to read:  
5 "An agency may not adopt a rule that does one or more of the following:

6 ...

7 (7) Results in additional costs on persons subject to the rule unless adoption of  
8 the rule is required to respond to at least one of the following:

9 a. A serious and unforeseen threat to the public health, safety, or  
10 welfare.

11 b. An act of the General Assembly or United States Congress.

12 c. A change in federal or State budgetary policy.

13 d. A federal regulation.

14 e. A court order."

15 **SECTION 2.** This act is effective when it becomes law and applies to rules  
16 adopted by an agency on or after that date.

