

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 22
Agriculture/Environment/Natural Resources Committee Substitute Adopted 2/8/11
Third Edition Engrossed 2/9/11

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

Sponsors:

Referred to:

February 2, 2011

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 that
12 expressly requires the agency to adopt rules.

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

14 d. A federal regulation.

15 e. A court order."

16 **SECTION 2.** This act is effective when it becomes law and applies to rules
17 adopted by an agency on or after that date. This act expires January 1, 2013.

