



2023-2024 General Assembly

HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 41: Deadline for Notification of Codifier of Repealed Rules/Codifier Authority to Remove Repealed Rules from Administrative Code

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| Committee: | | Date: | December 11, 2023 |
| Introduced by: | | Prepared by: | Kyle Evans Staff Attorney |
| Analysis of: | Sec. 41 of S.L. 2023-137 | | |

OVERVIEW: *Section 41 of S.L. 2023-137 requires agencies to notify the Codifier of Rules within 30 days of a rule being repealed, and authorizes the Codifier to remove a repealed rule from the North Carolina Administrative Code in certain circumstances.*

This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

CURRENT LAW & BILL ANALYSIS:

[GS 150B-21.7](#) provides that an administrative rule adopted by an agency is repealed as of the effective date of: (i) the repeal of the law that authorized the agency to adopt the rule, when no other law gives the same or another agency substantially the same authority to adopt the rule; or (ii) an executive order that abolishes part or all of an agency and does not transfer a function of that agency to another agency. Upon repeal, the agency that adopted the rule must notify the Codifier of Rules that the rule has been repealed, who must enter the repeal of the rule in the North Carolina Administrative Code.

Section 41 amends G.S. 150B-21.7 by requiring agencies to notify the Codifier of Rules within 30 days of a rule being repealed as provided under this statute. Furthermore, Section 41 provides that if the Codifier of Rules does not receive timely notice from the agency that a rule has been repealed, then the Codifier of Rules must remove the rule from the North Carolina Administrative Code after notifying the agency.

EFFECTIVE DATE: This bill was vetoed by the Governor on October 2, 2023, and that veto was overridden by the General Assembly on October 10, 2023. This section became effective on October 10, 2023.

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Legislative Analysis
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