



2023-2024 General Assembly

HOUSE BILL 600: Regulatory Reform Act of 2023, Sec. 37: Disapprove Certain Department Of Administration Procurement Rules

Committee:		Date:	December 11, 2023
Introduced by:		Prepared by:	Kyle Evans Staff Attorney
Analysis of:	Sec. 37 of S.L. 2023-137		

OVERVIEW: Section 37 of S.L. 2023-137 disapproves two procurement rules adopted by DOA subject to legislative review.

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:

The Administrative Procedure Act provides the mechanism for legislative disapproval of rules adopted by a State agency. [G.S. 150B-21.3](#) governs the effective date of rules, including rules disapproved by legislation.

Pursuant to 150B-21.3(b1), if a bill that specifically disapproves a rule subject to legislative review is introduced in either chamber of the General Assembly before the 31st legislative day the rule becomes effective on the earlier of the bill being voted down or the General Assembly adjourning without ratifying the bill. If the disapproval bill becomes law, the disapproved rule does not become effective.

On October 22, 2022, the North Carolina Department of Administration (DOA) adopted rules regarding good faith efforts to engage historically underutilized businesses in State contracting. The Rules Review Commission approved these rules on December 15, 2022, and a portion of those rules received 10 or more written objections, subjecting them to legislative review.

Section 37 disapproves two rules adopted by DOA subject to legislative review.

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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Director



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