



SENATE BILL 445: Regulatory Reform Act of 2026, Sec. 1: De Novo Review of Agency Rules

2025-2026 General Assembly

Analysis of: S.L. 2026-59, Sec. 1

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Section 1 of S.L. 2026-59 (Senate Bill 445) codifies the North Carolina Supreme Court's holding in *Mitchell v. Univ. of N. Carolina Bd. of Governors*, 388 N.C. 341 (2025), that courts interpreting State administrative rules must freely substitute their judgment for that of the agency and employ de novo review. This section also explicitly applies that holding to administrative law judges in the contested case process under the Administrative Procedure Act.

This section became effective August 11, 2026.

Kara McCraw
Director



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