

SUBCHAPTER 01F - PROCEDURAL RIGHTS

SECTION .0100 - RULE-MAKING PROCEDURES

20 NCAC 01F .0101 ESTABLISHMENT OF PROCEDURAL RIGHTS

The following rule-making procedures are established for the Department of State Treasurer and are applicable to each division within the department unless a division has set out different rule-making procedures in its own rules, within this Title.

History Note: Authority G.S. 143A-31;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016.

20 NCAC 01F .0102 CORRESPONDENCE

History Note: Authority G.S. 143A-31;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016;
Repealed Eff. December 1, 2021.

- 20 NCAC 01F .0103 PETITIONING FOR RULE-MAKING**
- 20 NCAC 01F .0104 NOTICE OF RULE-MAKING HEARING**
- 20 NCAC 01F .0105 LOCATION OF HEARING**
- 20 NCAC 01F .0106 ORAL PRESENTATION**
- 20 NCAC 01F .0107 WRITTEN SUBMISSION**
- 20 NCAC 01F .0108 PRESIDING OFFICER**
- 20 NCAC 01F .0109 REQUEST FOR STATEMENT OF REASON**
- 20 NCAC 01F .0110 RECORD OF PROCEEDINGS**

History Note: Authority G.S. 143A-31; 150B-11; 150B-12; 150B-16; 116B-42;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Amended Eff. July 1, 1987;
Expired Eff. May 1, 2016 pursuant to G.S. 150B-21.3A.

20 NCAC 01F .0111 PETITION FOR RULEMAKING

- (a) All petitions requesting the adoption, amendment, or repeal of a rule shall be in writing and mailed to the attention of the Rulemaking Coordinator at the address specified in Rule 20 NCAC 01A .0101.
- (b) The petition for rulemaking shall:
 - (1) contain the names and addresses of petitioners;
 - (2) identify the agency, board, or commission to whom the petition is directed for consideration; and
 - (3) for petitions to adopt or amend a rule, draft text of the proposed rule or amendment and a statement of the effect of the requested rule change.
- (c) The petition may contain the following information:
 - (1) the reason for the proposal;
 - (2) anticipated cost factors; or
 - (3) any additional data supporting the petition.
- (d) If the State Treasurer is the appropriate rulemaking body to consider the petition, within 30 days of submission of the petition, the State Treasurer, or deputy pursuant to G.S. 147-75, shall render a final decision. If the decision is to deny the petition, the petitioner shall be notified in writing, stating the reasons for the denial. If the decision is to grant the petition, written notice of the decision shall be provided as set forth in G.S. 150B-20(c) and rulemaking proceedings shall be initiated.

(e) If a board or commission within the Department of State Treasurer is the appropriate rulemaking body to consider the petition, the petition shall be forwarded to the chair of the board or commission. Within 120 days of submission of the petition, the board or commission shall render a final decision. If the decision is to deny the petition, the petitioner shall be notified by the board or commission in writing, stating the reasons for the denial. If the decision is to grant the petition, written notice of the decision shall be provided as set forth in G.S. 150B-20(c) and rulemaking proceedings shall be initiated.

History Note: Authority G.S. 150B-20;
Eff. December 1, 2021.

SECTION .0200 - DECLARATORY RULINGS

20 NCAC 01F .0201 ESTABLISHMENT OF PROCEDURAL RIGHTS

The following declaratory ruling procedures are established for the Department of State Treasurer and are applicable to each division within the department, unless a division has set out different procedures concerning declaratory rulings in its own rules, within this Title.

History Note: Authority G.S. 143A-31;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016.

20 NCAC 01F .0202 REQUESTS FOR RULING

History Note: Authority G.S. 150B-17;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Expired Eff. May 1, 2016 pursuant to G.S. 150B-21.3A.

20 NCAC 01F .0203 FORM OF REQUESTS **20 NCAC 01F .0204 WHO MAKES RULING**

History Note: Authority G.S. 150B-17;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016;
Repealed Eff. December 1, 2021.

20 NCAC 01F .0205 REFUSAL **20 NCAC 01F .0206 ISSUANCE**

History Note: Authority G.S. 150B-17;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Expired Eff. May 1, 2016 pursuant to G.S. 150B-21.3A.

20 NCAC 01F .0207 RULING PROCEDURES

History Note: Authority G.S. 150B-17;
Eff. February 1, 1976;
Readopted Eff. September 15, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016;
Repealed Eff. December 1, 2021.

