

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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SENATE BILL 866

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

Sponsors: Senators Hoyle; Apodaca, Boseman, Dannelly, East, Hartsell, Hunt, Jacumin, Jenkins, Swindell, and Tillman.

Referred to: Agriculture/Environment/Natural Resources.

March 26, 2009

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.

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

13 d. A federal regulation.

14 e. A court order."

15 **SECTION 2.** This act is effective when it becomes law and applies to rules
16 adopted by an agency on or after that date.

