

SECTION .0600 - DECLARATORY RULINGS

01 NCAC 01B .0601 SUBJECTS OF DECLARATORY RULINGS

(a) Any person substantially affected by a statute or rule administered by the Department of Administration may request a declaratory ruling as to the validity of an agency rule or as to either the manner in which a statute or rule applies to a given factual situation.

(b) A declaratory ruling issued by the agency:

- (1) is binding upon the agency and upon the person requesting it;
- (2) may be reviewed by the courts in the same manner as the final agency action in a contested case; and
- (3) may be altered by a subsequent declaratory ruling of the agency, but may not be altered retroactively.

*History Note: Authority G.S. 150B-4;
Eff. July 1, 1987;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. February 2, 2016.*