

15A NCAC 10A .0402 ACTION ON PETITION

- (a) Upon receipt, the Executive Director, or his or her designee, shall stamp the petition with the date of receipt which shall constitute the date of submission. The petition shall then be referred to the Commission for its consideration.
- (b) Within three business days of receipt, the proposed text and statement of effect of the petition shall be forwarded to the Office of Administrative Hearings as required by G.S. 150B-20.
- (c) Within 120 days following submission of the petition requesting rulemaking, the Commission shall:
 - (1) deny the petition in writing, stating the reason or reasons for such denial; or
 - (2) initiate rulemaking proceedings in accordance with G.S. 150B-20.
- (d) The Commission shall notify the person who submitted the petition of the action taken. Denial of a petition requesting rulemaking shall be sent to the petitioner at the address therein indicated by registered mail, "return receipt requested."

*History Note: Authority G.S. 150B-20;
Eff. February 1, 1976;
Amended Eff. July 1, 1993;
Readopted Eff. November 1, 2023.*