

**21 NCAC 08B .0507 CIRCUMSTANCES**

As a general rule the Board will issue a declaratory ruling except:

- (1) when the subject of a requested declaratory ruling is also the subject of a lawsuit pending in a court of this state or a federal court;
- (2) when the facts presented in the request were considered at a rule-making hearing; or
- (3) in other special circumstances.

*History Note: Authority G.S. 93-12; 150B-17;  
Eff. February 1, 1976;  
Readopted Eff. September 26, 1977;  
Amended Eff. May 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 28, 2014.*