

SECTION .0200 - RULEMAKING PROCEDURES

14B NCAC 11A .0201 PETITIONS

(a) Any petition for the adoption, amendment, or repeal of a rule within Title 28 of the North Carolina Administrative Code must be made to the Secretary of the Department of Juvenile Justice and Delinquency Prevention and addressed to: Secretary/Administrative Hearing Officer, Department of Juvenile Justice and Delinquency Prevention, 1801 Mail Service Center, Raleigh, NC 27699-1801; or delivered in person to the Office of the Secretary.

(b) The petition shall contain the following information:

- (1) either a draft of the proposed rule or a summary of its contents;
- (2) the reasons for the petition;
- (3) the effect on existing rules or orders;
- (4) any data supporting the petition;
- (5) the effect of the petition on existing practices in the area involved in cost factors;
- (6) the names and addresses, if known, of those most likely to be affected by the petition; and
- (7) the name and address of the petitioner.

(c) The Secretary, shall determine, based on a study of the facts in the petition, whether the public interest will be served by granting the petition. The Secretary will consider all the contents of the submitted petition, plus any additional information deemed to be relevant.

(d) If the decision is to deny the petition, the petitioner shall be given notice that the decision including reasons why the petition was denied and may be appealed through Judicial Review as provided in G.S.150B-20(d).

*History Note: Authority G.S. 143B-512(a); 150B-20;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 01A .0201 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*