



CHAPTER 150B
ARTICLE 2A - RULES

N.C.G.S. § 150B-21.5.

Circumstances when notice and
rulemaking hearing not required;
circumstances when submission to the
Commission not required.

SOURCE	LAST AMENDMENT IN THIS TEXT	RETRIEVED	SOURCE FINGERPRINT
General Statutes of North Carolina, as published by the General Assembly	S.L. 2025-28, s. 1.2 — eleventh act in the lineage	21 September 2026, 05:12 UTC	edfc7b3fa757c4f62f7a8ffa - 9d8cce40de6203b6dde0c53d - edc18358186cd83a

§ 150B-21.5(a) Amendment. - An agency is not required to publish a notice of text in the North Carolina Register, hold a public hearing, or submit the amended rule to the Commission for review when it proposes to amend a rule to do one of the following:

- (1) Reletter or renumber the rule or subparts of the rule.
- (2) Substitute one name for another when an organization or position is renamed.
- (3) Correct a citation in the rule to another rule or law when the citation has become inaccurate since the rule was adopted because of the repeal or renumbering of the cited rule or law.
- (4) Change information that is readily available to the public, such as an address, email address, a telephone number, or a website.
- (5) Correct a typographical error.
- (6) Repealed by Session Laws 2019-140, s. 1(a), effective July 19, 2019.

§ 150B-21.5(a1) Response to Commission. - An agency is not required to publish a notice of text in the North Carolina Register or hold a public hearing when it proposes to change the rule in response to a request or an objection by the Commission, unless the Commission determines that the change is substantial.

§ 150B-21.5(b) Repeal. - An agency is not required to publish a notice of text in the North Carolina Register or hold a public hearing when it proposes to repeal a rule as a result of any of the following:

- (1) The law under which the rule was adopted is repealed.
- (2) The law under which the rule was adopted or the rule itself is declared unconstitutional.
- (3) The rule is declared to be in excess of the agency's statutory authority.

§ 150B-21.5(c) Repealed by Session Laws 2023-134, s. 21.2(e), effective October 3, 2023 and applicable to rules adopted on or after that date.

§ 150B-21.5(c1) OSHA Standard. - The Occupational Safety and Health Division of the Department of Labor is not required to publish a notice of text in the North Carolina Register or hold a public hearing when it proposes to adopt a rule that concerns an occupational safety and health standard that is identical to a federal regulation promulgated by the Secretary of the United States Department of Labor. The Division shall file the rule with the Commission for the purpose of receiving written objections to the rule in accordance with G.S. 150B-21.3(b2).

§ 150B-21.5(d) North Carolina State Building Code. - The Building Code Council or Residential Code Council, as applicable, is not required to publish a notice of text in the North Carolina Register when it proposes to adopt a rule that concerns the North Carolina State Building Code. The Building Code Council or Residential Code Council, as applicable, is required to publish a notice in the North Carolina Register when it proposes to adopt a rule that concerns the North Carolina State Building Code. The notice must include all of the following:

- (1) A statement of the subject matter of the proposed rulemaking.
- (2) A short explanation of the reason for the proposed action.
- (3) A citation to the law that gives the agency the authority to adopt a rule on the subject matter of the proposed rulemaking.
- (4) The person to whom questions or written comments may be submitted on the subject matter of the proposed rulemaking.

The Building Code Council or Residential Code Council, as applicable, is required to submit to the Commission for review a rule for which notice of text is not required

under this subsection. In adopting a rule, the responsible Council shall comply with the procedural requirements of G.S. 150B-21.3.

§ 150B-21.5(e)

An agency that adopts or amends a rule pursuant to subsection (a) of this section shall notify the Codifier of Rules of its actions. When notified of an agency action taken pursuant to subsection (a) of this section, the Codifier of Rules shall make the appropriate change to the North Carolina Administrative Code.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
11 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

199120082025

TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT

Nº	YEAR	ACT	CHARACTER
01	1991	c. 418, s. 1	ENACTED
02	1995	c. 504, s. 12	AMENDED
03	1997	S.L. 1997-34, s. 4	AMENDED
04	2001	S.L. 2001-141, s. 5	AMENDED
05	2001	S.L. 2001-421, s. 1.3	AMENDED
06	2003	S.L. 2003-229, s. 7	AMENDED
07	2019	S.L. 2019-140, s. 1(a)	AMENDED
08	2023	S.L. 2023-134, s. 21.2(e)	AMENDED
09	2024	S.L. 2024-49, s. 5.2(r)	AMENDED
10	2025	S.L. 2025-25, s. 29(5), (6)	AMENDED
11	2025	S.L. 2025-28, s. 1.2	AMENDED

APPARATUS II
2 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 150B-21.3(b2)	(c1)	<i>"to the rule in accordance with"</i>
G.S. 150B-21.3	(d)	<i>"comply with the procedural requirements of"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 150B-21.5 (2025).

PINPOINT

N.C. Gen. Stat. § 150B-21.5(a) (2025).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1991, c. 418, s. 1; 1995, c. 504, s. 12; 1997-34, s. 4; 2001-141, s. 5; 2001-421, s. 1.3; 2003-229, s. 7; 2019-140, s. 1(a); 2023-134, s. 21.2(e); 2024-49, s. 5.2(r); 2025-25, s. 29(5), (6); 2025-28, s. 1.2.)

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