



CHAPTER 150B
ARTICLE 3 - ADMINISTRATIVE HEARINGS

N.C.G.S. § 150B-29.

Rules of evidence.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2012-187, s. 7.1 — sixth act in the lineage	RETRIEVED 21 September 2026, 02:53 UTC	SOURCE FINGERPRINT 8de39fe9736f724b96e13a84 - 71f9ff4e450d11469d8f9902 - 48591e813ba3a5f9
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§ 150B-29(a)

BURDEN OF PROOF

In all contested cases, irrelevant, immaterial and unduly repetitious evidence shall be excluded. Except as otherwise provided, the rules of evidence as applied in the trial division of the General Court of Justice shall be followed; but, when evidence is not reasonably available under the rules to show relevant facts, then the most reliable and substantial evidence available shall be admitted. On the judge's own motion, an administrative law judge may exclude evidence that is inadmissible under this section. The party with the burden of proof in a contested case must establish the facts required by G.S. 150B-23(a) by a preponderance of the evidence. It shall not be necessary for a party or his attorney to object at the hearing to evidence in order to preserve the right to object to its consideration by the administrative law judge in making a decision or by the court on judicial review.

§ 150B-29(b)

Evidence in a contested case, including records and documents, shall be offered and made a part of the record. Factual information or evidence not made a part of the record shall not be considered in the determination of the case, except as permitted under G.S. 150B-30. Documentary evidence may be received in the form of a copy or excerpt or may be incorporated by reference, if the materials so incorporated are available for examination by the parties. Upon timely request, a party shall be given an opportunity to compare the copy with the original if available.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
6 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.

	1973		1993		2012
TICK HEIGHT = ACTS IN THAT YEAR DASHED = RECODIFICATION, NOT AMENDMENT					
Nº	YEAR	ACT	CHARACTER		
01	1973	c. 1331, s. 1	ENACTED		
02	1985	c. 746, s. 1	AMENDED		
03	1987	c. 878, s. 7	AMENDED		
04	1991	c. 35, s. 4	AMENDED		
05	2000	S.L. 2000-190, s. 4	AMENDED		
06	2012	S.L. 2012-187, s. 7.1	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-23(a)	(a)	<i>"must establish the facts required by"</i>
G.S. 150B-30	(b)	<i>"the case, except as permitted under"</i>

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 150B-29 (2012).

PINPOINT

N.C. Gen. Stat. § 150B-29(a) (2012).

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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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1973, c. 1331, s. 1; 1985, c. 746, s. 1; 1987, c. 878, s. 7; 1991, c. 35, s. 4; 2000-190, s. 4; 2012-187, s. 7.1.)

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