

GENERAL ASSEMBLY OF NORTH CAROLINA

Session 2011

Legislative Fiscal Note

BILL NUMBER: Senate Bill 624 (First Edition)

SHORT TITLE: Modify Hearing & Mailings for Rule Making.

SPONSOR(S): Senator Preston

FISCAL IMPACT					
	Yes (X)	No ()	No Estimate Available ()		
	<u>FY 2011-12</u>	<u>FY 2012-13</u>	<u>FY 2013-14</u>	<u>FY 2014-15</u>	<u>FY 2015-16</u>
REVENUES:	*None Anticipated*				
EXPENDITURES:	*Exact Amount Cannot be Determined*				
POSITIONS (cumulative):	*Exact Amount Cannot be Determined*				
PRINCIPAL DEPARTMENT(S) & PROGRAM(S) AFFECTED: All State agencies proposing permanent rule changes					
EFFECTIVE DATE: Effective when it becomes law and applies to rules adopted on or after that date					

BILL SUMMARY:

Senate Bill 624 amends General Statutes 150B-21.2(a) to require an agency, before adopting a permanent rule, to notify the governing unit of each county that will be impacted by the rule. The agency would be required to publish, in at least one newspaper having general circulation in each impacted county, instructions regarding how to access by internet the notice of text published in the North Carolina (NC) Register. This bill also requires an agency, when conducting a public hearing required by General Statutes 150B-21.2(e), to hold a hearing within 60 miles of each county impacted by the proposed rule and from which a resident timely submitted a written request for a public hearing.

SOURCE: Bill Digest (04/14/2011)

ASSUMPTIONS AND METHODOLOGY:

Under Senate Bill 624, State agencies would have to notify the county-level governing units of pending permanent rule changes and publish instructions in at least one newspaper on how to access the notice of text published in the NC Register.

Fiscal Research estimates that there would be no cost to the State agencies to notify the county-level governing units of pending permanent rule changes. However, Fiscal Research anticipates that there would be a cost to the State agencies for the placement of instructions in a newspaper. Typically, the rate of advertisements in newspapers depends upon 1) the number of letters used in the advertisement and 2) the per-letter rate charged by the newspapers. Given this variability, Fiscal Research is not able to estimate the fiscal impact this requirement would have on the State.

Currently, State agencies are required to hold one hearing on a proposed rule change. Under Senate Bill 624, State agencies would have to hold a hearing within 60 miles of each county impacted by the proposed rule and from which a resident timely submitted a written request for a public hearing. Senate Bill 624 would increase the number of hearings scheduled; however, Fiscal Research is not able to forecast the number of additional hearings that would be required under Senate Bill 624. As a result, Fiscal Research is not able to estimate the fiscal impact this requirement would have on the State.

SOURCES OF DATA: Office of Administrative Hearings

TECHNICAL CONSIDERATIONS: None

FISCAL RESEARCH DIVISION: (919) 733-4910

PREPARED BY: Tazra Mitchell

APPROVED BY: Lynn Muchmore, Director
Fiscal Research Division

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