

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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PRINCIPAL CLERK

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SENATE BILL DRS45230-MH-65

Short Title: Scientific Integrity Act. (Public)

Sponsors: Senators Lee, Newton, and Perry (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE SCIENCE-BASED RULEMAKING MORE OPEN, TRANSPARENT,
3 AND AVAILABLE FOR CITIZEN REVIEW.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 150B-21.2 reads as rewritten:

6 "§ 150B-21.2. Procedure for adopting a permanent rule.

7 ...

8 (c) Notice of Text. – A notice of the proposed text of a rule must include all of the
9 following:

- 10 (1) The text of the proposed rule, unless the rule is a readoption without
11 substantive changes to the existing rule proposed in accordance with
12 G.S. 150B-21.3A.
- 13 (2) A short explanation of the reason for the proposed rule.
- 14 (2a) A link to the agency's Web site containing the information required by
15 G.S. 150B-19.1(c).
- 16 (3) A citation to the law that gives the agency the authority to adopt the rule.
- 17 (4) The proposed effective date of the rule.
- 18 (5) The date, time, and place of any public hearing scheduled on the rule.
- 19 (6) Instructions on how a person may demand a public hearing on a proposed rule
20 if the notice does not schedule a public hearing on the proposed rule and
21 subsection (e) of this section requires the agency to hold a public hearing on
22 the proposed rule when requested to do so.
- 23 (7) The period of time during which and the person within the agency to whom
24 written comments may be submitted on the proposed rule.
- 25 (8) If a fiscal note has been prepared for the rule, a statement that a copy of the
26 fiscal note can be obtained from the agency.
- 27 (9) Repealed by Session Laws 2013-143, s. 1, effective June 19, 2013.
- 28 (10) With respect to rules adopted by an agency authorized to implement and
29 enforce State and federal environmental laws, as defined in G.S. 150B-19.3,
30 provide citations for any data used as a basis for any part of the rule. For
31 purposes of this subdivision, data includes publications, studies, white papers,
32 or reports. Agencies subject to this subdivision shall make the cited sources
33 accessible on their websites.

34 ...

35 (f) Comments. – An agency must accept comments on the text of a proposed rule that is
36 published in the North Carolina Register and any fiscal note that has been prepared in connection



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1 with the proposed rule for at least 60 days after the text is published or until the date of any public
2 hearing held on the proposed rule, whichever is longer. An agency must consider fully all written
3 and oral comments ~~received~~received, including challenges to data cited as required by
4 subdivision (c)(10) of this section contending that the data is inappropriate, inaccurate, or
5 outdated.

6"

7 **SECTION 2.** This act becomes effective October 1, 2021, and applies to rules
8 proposed for adoption on or after that date.