

## PERIODIC REVIEW AND EXPIRATION OF EXISTING RULES

Update October 2017

During its 2013 legislative session, the North Carolina General Assembly enacted N.C. Session Law 2013-413, which created [N.C.G.S. §150B-21.3A](#), “**Periodic Review and Expiration of Existing Rules**”. This law requires all state agencies and commissions, including the NC Child Care Commission, to review all of their existing rules at least once every 10 years and initially determine if those rules are:

- **Necessary with substantive public interest** – agency determines the rule is needed - the rule affects the regulated property interest of the regulated public and the agency has received comments objecting to the rule within the past two years, or if the agency knows or suspects that the public will object to the rule.
- **Necessary without substantive interest** – rule is needed – but no public comment has been received with in the last two years.
- **Unnecessary** – agency determines that the rule is no longer needed.

The initial determinations of all Child Care Rules were published in the NC Register and posted on the Division of Child Development and Early Education’s website for public comment. The Child Care Commission considered the comments received and made their final determinations of the category of all rules. The final report on this categorization was filed with the Rules Review Commission (RRC) for approval in February 2015. The RRC approved the report and determined that the rules in 10A NCAC 09 – the Child Care Rules - must be reviewed and adopted or revised by March 31, 2019.

The Child Care Commission has completed review and adoption of rules in the categories of **Child Care Centers, Definitions, Family Child Care Homes, and Special Programs. These rules will become effective October 1, 2017.**

The Commission continues to review the remaining rules in 10A NCAC 09 for revision and re-adoption.