

SMALL, TECHNICAL (NONSUBSTANTIVE) RULE CHANGES

| Portion of Code Affected | Description | Effective Date of Change | Page |
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| 18 NCAC 04 | Business Registration | April 1, 2024 | 2 |
| 18 NCAC 02 | Trademark Registration | By March 26, 2024 | 8 |
| 18 NCAC 01 | General Administration | April 1, 2024 | 8 |
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*State of North Carolina
Department of the Secretary of State*

ELAINE F. MARSHALL
SECRETARY OF STATE

ANN B. WALL
General Counsel

March 25, 2024

By Email

Ashley Snyder, Codifier of Rules
Office of Administrative Hearings
ashley.snyder@oah.nc.gov

Re: Changes to Certain 18 NCAC 04 Rules Pursuant to G.S. §§ 150B-21.5 and 150B-21.20

Dear Ms. Snyder:

Please exercise your authority as Codifier to facilitate use of existing 18 NCAC 04 rules before the Existing Rules Review (ERR) process gets underway, as well as to ease the ERR process itself. By way of preparation for ERR, we have identified changes to Chapter 04 that will help. Our rules in 18 NCAC 04 are subject to RRC review at its October 2025 meeting.

1. Rationale

The changes described here are necessary to facilitate use of the Code by helping the regulated community and general public more easily find what they need. We changed the name of the division to “Business Registration Division” around the Fall of 2017. That followed legislation involving Chapters 55D, 57C, and 57D in 2013 and 2016. See, e.g., S.L. 2013-157 and 2016-100. The ultimate reason for the change was to more accurately reflect the work of the Division to reduce confusion for the public. The number of corporations formed through the Division has now been surpassed by the number of LLCs and other entity types, so use of “Corporations” as the division name in the rules is inappropriately narrow, suggesting a more limited scope than the reality. In addition, the Division is responsible for a number of other filings such as registration of membership campgrounds pursuant to Article 31 of Chapter 66 of the General Statutes. As for the citation updates, they are prompted by repeal of Chapter 57C, enactment of 57D, and modifications of 55D. The history notes already have been updated. The rule text citation changes sought here already are reflected in the history notes.

2. The chapter to be renamed

Please change the chapter caption for 18 NCAC 04. Change:

- FROM Corporations Division
- TO Business Registration Division

3. The rules for which division renaming is needed within rule text

Please change the text of specified rules so that the division name is consistent throughout 18 NCAC 04. Each of the changes is the same. Change:

- FROM Corporations
-

-
- TO Business Registration

when referencing that division. The four rules affected are:

- 18 NCAC 04 .0101,
- 18 NCAC 04 .0203,
- 18 NCAC 04 .0316, and
- 18 NCAC 04 .0317.

The enclosure shows each of the changes.

4. The rules for which statutory citation updates are needed within rule text

Please substitute the current statutory citations in the text of specified rules, so the rules reference current law rather than that which has been repealed. Specifically, please change:

- 18 NCAC 04 .0308:
 - Insert 55D-31
 - For “57C-2-41, or 57C-7-08,”
- 18 NCAC 04 .0311:
 - Substitute 57D-9-40, 57D-9-41, and 57D-9-42
 - For 57C-9-06,
- 18 NCAC 04 .0316:
 - Insert 57D-2-24
 - For 57C-2-23, and
- 18 NCAC 04 .0501(a):
 - Replace 57C-2-30 with 55D-20 and
 - Replace 57C-7-06 with 55D-21.

The enclosure shows each of the changes.

5. The Codifier possesses the authority to make the requested changes

This request is made pursuant to:

- **Gen. Stat. § 150B-21.5(a)(2)**, CIRCUMSTANCES WHEN NOTICE AND RULE-MAKING HEARING NOT REQUIRED; CIRCUMSTANCES WHEN SUBMISSION TO THE COMMISSION NOT REQUIRED (substituting one name for another),
- **Gen. Stat. § 150B-21.5(a)(3)**, CIRCUMSTANCES WHEN NOTICE AND RULE-MAKING HEARING NOT REQUIRED; CIRCUMSTANCES WHEN SUBMISSION TO THE COMMISSION NOT REQUIRED (correcting a citation within a rule),
- **Gen. Stat. § 150B-21.20(a)(7)**, CODIFIER'S AUTHORITY TO REVISE RULES (substituting one name for another),
- **Gen. Stat. § 150B-21.20(a)(8)**, CODIFIER'S AUTHORITY TO REVISE RULES (correcting a citation within a rule), and
- **26 NCAC 02C .0407**, CHANGES TO RULE, SECTION OR CHAPTER NAMES AND HISTORY NOTES.

In conclusion, please exercise your authority to create greater clarity by recaptioning Chapter 04 to reflect its actual content and scope, replacing the old with the new division name in rule text, and

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replacing textual citations to repealed law with the current citations.

As these changes are needed before we begin the ERR process for 18 NCAC 04, we would like to have them completed and approved by you by the beginning of the fourth quarter of this year.

If you approve this request, please ensure that we receive an updated ERR report for 18 NCAC 04. Our Chapter 04 rules are subject to RRC review at its October 2025 meeting.

Thank you for your consideration of this request.

Regards,



Ann B. Wall

General Counsel and Rulemaking Coordinator

Cc: Dana McGhee

Attachment

CHAPTER 04 - CORPORATIONS BUSINESS REGISTRATION DIVISION

SECTION .0100 - GENERAL PROVISIONS

18 NCAC 04 .0101 LOCATION AND HOURS

The **corporations business registration** division of the Department of the Secretary of State is located in the Old Revenue Complex, 2 S. Salisbury Street, Raleigh, North Carolina 27601. The mailing address is: North Carolina **Corporations Business Registration** Division, Department of the Secretary of State, P.O. Box 29622, Raleigh, North Carolina 27626-0622. The hours of the Division are 8:00 a.m. until 5:00 p.m. Monday through Friday excepting legal holidays.

History Note: Authority G.S. 55-1-30; 55D-5; 57D-1-30;
Eff. February 1, 1976;
ARRC Objection Lodged June 21, 1990;
Temporary Amendment Eff. July 1, 1990 for a Period of 180 Days to Expire on December 27, 1990;
ARRC Objection Removed August 20, 1990;
Amended Eff. April 1, 2003; February 1, 1991; September 1, 1988;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.

18 NCAC 04 .0203 INVOICES

Upon request for documents on file or certificates of information not accompanied by the applicable fee, the Division shall prepare and remit the material requested, accompanied by an invoice for the applicable fee, unless it is determined by the **Corporations Business Registration** Director that it is in the interest of the state to require prepayment.

History Note: Authority G.S. 55-1-22; 55-1-30; 55A-1-22; 55A-1-30; 55D-5; 57D-1-22; 57D-1-30; 59-35.2;
Eff. February 1, 1976;
Amended Eff. March 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.

18 NCAC 04 .0308 REGISTERED OFFICE AND REGISTERED AGENT

(a) In the event that a corporation has never designated a registered office or registered agent, or in the event that a corporation's or limited liability company's registered agent has resigned, the entity may designate a registered agent and/or registered office.

(b) The information required for the designation of a registered agent or a registered office shall be set forth in a statement which shall be substantially the same as that provided for in the change of a registered agent or registered office, except that it shall be unnecessary to set forth information concerning the current registered agent or current registered office.

(c) With respect to documents permitted to be filed with the Office of the Secretary of State, a person shall consistently use the same name and same business office address in each instance in which that person serves as registered agent for any corporation or limited liability company.

(d) A person who serves as registered agent for more than one corporation or limited liability company may notify the Secretary of State of the change of the address of the registered offices of such entities by attaching a list of the names of those entities to the statement required to be filed by G.S. 55-5-02, 55-15-08, 55A-5-02, 55A-15-08, **57C-2-41**, or **57C-7-08** or **55D-31**.

History Note: Authority G.S. 55-1-30; 55-5-01; 55-15-07; 55A-1-30; 55A-5-01; 55A-15-07; 55D-5; 55D-30; 55D-31; 55D-32; 57D-1-30; 57D-2-40; 57D-7-06;
Eff. February 1, 1976;
ARRC Objection Lodged June 21, 1990;
Temporary Amendment Eff. July 1, 1990 For a Period of 180 Days to Expire on December 27, 1990;
ARRC Objection Removed August 20, 1990;

*Amended Eff. March 1, 1996; February 1, 1991;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.*

18 NCAC 04 .0311 ART OF MERGER/SHARE EXCH INVOLVING FOREIGN ENTITY

Each foreign entity which is a party to a merger or a share exchange pursuant to G.S. 55-11-07, 55-11-09, 55A-11-06, 55A-11-08, 57D-9-40, 57D-9-41, or 57D-9-42 57C-9-06 shall be identified in the articles of merger or share exchange by state or country of incorporation or organization. Articles of merger filed pursuant to these statutes shall contain:

- (1) a statement that the merger is permitted by the law of the state or country of incorporation or organization of each foreign entity which is a party, and
- (2) a statement that each foreign entity which is a party has complied or shall comply with the applicable laws of its state or country of incorporation or organization regarding such merger.

*History Note: Authority G.S. 55-11-07; 55-11-09; 55A-11-06; 55A-11-08; 55D-5; 57D-9-40; 57D-9-41; 57D-9-42;
Eff. February 1, 1976;
ARRC Objection Lodged June 21, 1990;
Temporary Amendment Eff. July 1, 1990 For a Period of 180 Days to Expire on December 27, 1990;
ARRC Objection Removed August 20, 1990;
Amended Eff. March 1, 1996; February 1, 1991;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.*

18 NCAC 04 .0316 FORM FOR ANNUAL REPORT

A corporation filing its annual report in order to comply with G.S. 55-16-22 or a limited liability company filing an annual report pursuant to G.S. 57C-2-23 57D-2-24 shall use the annual report form promulgated by the Secretary of State. Exact copies of the annual report form provided by the Corporations Business Registration Division may be made and used to satisfy the annual filing requirement. However, annual reports with formats different from the form prescribed by the Corporations Business Registration Division shall not be accepted for filing.

*History Note: Authority G.S. 55-1-21; 55-16-22; 55D-5; 57D-1-21; 57D-1-30; 57D-2-24; 59-84.4; 59-210;
Eff. February 1, 1991;
ARRC Objection Lodged June 21, 1990;
Temporary Adoption Eff. July 1, 1990 For a Period of 180 Days to Expire on December 27, 1990;
ARRC Objection Removed August 20, 1990;
Amended Eff. March 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.*

18 NCAC 04 .0317 AUTHORIZATION OF CORRECTIONS ON DOCUMENTS

A document that is submitted to the Corporations Business Registration Division for filing but rejected because it does not satisfy the requirements of Chapter 55, 55A, 57C, or 59 may be corrected by the examiner in charge of examining the document provided that the examiner is authorized by the person submitting the document to make the correction. Upon receiving such authorization, the examiner shall obtain and record by memorandum the following information:

- (1) the name of the entity to which the document relates;
- (2) the type of document;
- (3) the name of the person authorizing the correction;
- (4) the name of the person or entity represented by the person authorizing the correction;
- (5) the instructions received by the examiner making the correction;
- (6) the time, date, and manner of the authorization, including a telephone number by which the person authorizing the correction may be reached; and
- (7) the name of the examiner making the correction.

The memorandum of authorization shall be retained by the Division with the original of the document so corrected. Upon request, a copy of the memorandum of authorization shall be furnished to any person desiring one.

History Note: Authority G.S. 55D-5; 55D-15; 57D-1-20; 57D-1-30; 59-206;
Temporary Adoption Eff. November 10, 1995;
Eff. March 1, 1996;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.

SECTION .0500 - CORPORATE NAME

18 NCAC 04 .0501 GENERAL

(a) The Secretary of State expressly reserves the right pursuant to G.S. 55-4-01, G.S. 55A-4-01, G.S. 55-15-06, G.S. 55A-15-06, G.S. ~~57C-2-30, G.S. 57C-7-06~~ 55D-20, G.S. 55D-21, G.S. 59-103, or any other applicable statute, to reject filing of any document conferring a corporate, limited liability company, or limited partnership name, if he determines that such name is contrary to law.

(b) When a corporation applies to the Secretary of State for authorization to use a name which is not distinguishable upon his records from a name used, reserved, or registered by another entity, and provides the consent of the other entity to such use, the undertaking required of the consenting entity shall consist of the consenting entity's amendment to the appropriate document filed with the division effecting a change of that entity's name to a name distinguishable on the records of the Secretary of State from the name sought to be used by the applying entity.

History Note: Authority G.S. 55D-5; 55D-20; 55D-21; 57D-2-21(a)(2); 57D-7-03(a)(1); 59-103;
Eff. February 1, 1976;
ARRC Objection Lodged June 21, 1990;
Temporary Amendment Eff. July 1, 1990 For a Period of 180 Days to Expire on December 27, 1990;
ARRC Objection Removed August 20, 1990;
Amended Eff. March 1, 1996; February 1, 1991;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 20, 2015.



*State of North Carolina
Department of the Secretary of State*

ELAINE F. MARSHALL
SECRETARY OF STATE

ANN B. WALL
General Counsel

March 15, 2024

By E-Mail to ashley.snyder@oah.nc.gov

Ashley B. Snyder
Codifier of Rules
Office of Administrative Hearings

Re: Request to Renumber a Rule and Rename a Chapter

Dear Ms. Snyder:

I am writing to request that you renumber a rule and rename a chapter within Title 18 of the North Carolina Administrative Code. I have attached a copy showing the changes. For the reasons explained below, these changes can and should be made now before the 2024-2027 Periodic Rules Review process progresses further.

1. The chapter to be renamed

Please rename 18 NCAC 02. Change it:

- from GENERAL ADMINISTRATION DIVISION
- to TRADEMARK REGISTRATION.

Despite the chapter's current name, only one rule in Chapter 02 is a general rule; the rest are trademark registration rules. The others are expired or repealed. 18 NCAC 02 is scheduled for ERR by the RRC at its January 2025 meeting.

2. The rule to be renumbered

Please move Rule .0102 out of Chapter 02. Specifically, please move it:

- from 18 NCAC 02 .0102 with its caption, SECRETARY OF STATE,
- to 18 NCAC 01 .0101, which is presently captioned, LOCATION, which is an expired rule.

Chapter 18 NCAC 01, the destination location, is captioned, DEPARTMENTAL RULES. That is a much more logical location for .0102, SECRETARY OF STATE. Chapter 01 is on the Periodic Review Schedule for RRC review at its October 2025 meeting.

3. Rationale

The changes described are necessary to facilitate use of the Code by helping the regulated community and general public more easily find what they need. These rules long predate my coming to the Department, and the current location and labeling do not fit current and forward-looking circumstances.

4. The Codifier possesses the authority to make the requested changes

This request is made pursuant to

- Gen. Stat. § 150B-21.20(a)(1) and (2), CODIFIER'S AUTHORITY TO REVISE RULES,
- 26 NCAC 02C .0407, CHANGES TO RULE, SECTION OR CHAPTER NAMES AND HISTORY NOTES, and
- 26 NCAC 02C .0408, RECODIFICATION OF RULES.

In conclusion, please exercise your authority to create greater clarity by renaming Chapter 02 to reflect its actual content and moving 18 NCAC 02 .0102 to 18 NCAC 01 .0101.

If you approve this request, please ensure that we receive updated ERR reports for both 18 NCAC 01 and 02.

If you have any questions, please contact me at the email above, or contact the attorney assisting me, Ann Elmore, at aelmore@sosnc.gov.

Thank you for your attention to this request.

Regards,



Ann B. Wall
General Counsel and Rulemaking Coordinator

cc: Dana McGhee

Enclosure

NOTE: Affected captions and rules are shown below in blue. *Requests and notes are bracketed, in italics and highlighted in yellow.*

CHAPTER 01 - DEPARTMENTAL RULES

SECTION .0100 - ORGANIZATION OF DEPARTMENT

18 NCAC 01 .0101 ~~LOCATION~~ *[Replace this with rule caption and text currently at 18 NCAC 02 .0102]*

*History Note: Authority G.S. 143A-19; 147-34;
Eff. February 1, 1976;
Amended Eff. April 1, 2003; September 1, 1988;
Expired Eff. January 1, 2016 pursuant to G.S. 150B-21.3A.*

18 NCAC 01 .0102 STRUCTURE

*History Note: Authority G.S. 147-36;
Eff. February 1, 1976;
Repealed Eff. September 1, 1988.*

[Subsequent Chapter 01 rules omitted for illustration purposes only]

CHAPTER 02 – ~~GENERAL ADMINISTRATION DIVISION~~ TRADEMARK REGISTRATION

SECTION .0100 - GENERAL PROVISIONS

18 NCAC 02 .0101 FUNCTIONS

*History Note: Authority G.S. 143A-8; 143A-9; 147-36;
Eff. February 1, 1976;
Repealed Eff. September 1, 1988.*

18 NCAC 02 .0102 ~~SECRETARY OF STATE~~ *[Move this caption and rule text to 18 NCAC 01 .0101]*

The Secretary of State is the head of the Department of the Secretary of State. The office of the Secretary of State is located in the Old Revenue Complex, 2 S. Salisbury Street, Raleigh, North Carolina. The mailing address is: North Carolina Department of the Secretary of State, P.O. Box 29622, Raleigh, North Carolina 27626-0622 and the normal business hours are 8:00 a.m. to 5:00 p.m.

*History Note: Authority G.S. 143A-19; 147-34;
Eff. February 1, 1976;
Amended Eff. April 1, 2003;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.*

18 NCAC 02 .0103 DEPUTY SECRETARY OF STATE

*History Note: Authority G.S. 80-3; 160A-9.4; 160A-29; 160A-39; 160A-51;
Eff. February 1, 1976;
Amended Eff. September 1, 1988;
Repealed Eff. May 1, 2003.*

18 NCAC 02 .0104 AGENT FOR SERVICE OF PROCESS

18 NCAC 02 .0105 LAWS AND JOURNALS

History Note: Authority G.S. 1A-1, Rule 4(j)(4); 120-27; 120-29; 147-39;

Eff. February 1, 1976;
Amended Eff. September 1, 1988;
Expired Eff. October 1, 2017 pursuant to G.S. 150B-21.3A.

SECTION .0200 - LOBBYING AND INFLUENCING OPINION

| | |
|-------------------------|--|
| 18 NCAC 02 .0201 | REGISTRATION OF LEGISLATIVE AGENTS |
| 18 NCAC 02 .0202 | WRITTEN AUTHORIZATION |
| 18 NCAC 02 .0203 | REPORTS OF EXPENDITURES |
| 18 NCAC 02 .0204 | INFLUENCING PUBLIC OPINION OR LEGISLATION |

History Note: Authority G.S. 120-47.2; 120-47.3; 120-47.4; 120-47.6; 120-47.7; 120-49; 120-50;
Eff. February 1, 1976;
Amended Eff. September 1, 1988; January 1, 1977;
Repealed Eff. August 1, 2000.

SECTION .0300 - TRADEMARKS

18 NCAC 02 .0301 DEFINITIONS

As used in this Section the word "mark" shall include both trademarks and service marks, and the word "Department" shall mean the Department of the Secretary of State.

History Note: Authority G.S. 80-1;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0302 FORMS

Applications for registration and renewal of marks must be on a current form supplied by the Secretary of State. Requests for forms shall be directed to the Department of the Secretary of State, P.O. Box 29622, Raleigh, North Carolina 27626-0622. The forms are titled "Application for Registration of Trademark or Service Mark" and "Application for Renewal of Registration of Trademark or Service Mark", and both forms contain instructions which must be followed in completing them.

History Note: Authority G.S. 80-3; 80-5;
Eff. February 1, 1976;
Amended Eff. April 1, 2003;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0303 REGISTRATION

(a) Multiple Registrations. Only one mark in one class may be included on each application for registration. A separate application and filing fee is required for each class in which registration is desired.

(b) Description of Mark. A description of the mark, other than merely a word mark, must be set forth in the application including a written description of any designs sought to be registered. All extraneous matter must be omitted.

(c) Description of Goods or Services. The description of the goods or services set forth in the application must contain specific goods or services rather than broad categories of goods or services.

(d) Classification. The classification of goods and services set forth in G.S. 80-9 is established for the convenience of administration. Applications which state a classification which is not appropriate will be changed to the appropriate classification prior to registration.

(e) Specimens. The function of the specimens submitted with the application is to show the mark in use. Actual specimens from one of the methods or modes of use listed in the application must be submitted. Where submission of an actual specimen is not practical due to the size or manner of use, a photograph of the mark in use or a facsimile of the mark showing the mark as used may be submitted.

History Note: Authority G.S. 80-3; 80-9;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0304 ASSIGNMENT

(a) Any form of assignment of a mark and its registration which meets the requirements of G.S. 80-6 and contains the name and business address of the assignee may be recorded. Suggested forms will be furnished on request to the Department of the Secretary of State.

(b) An executed and properly acknowledged copy of the assignment must be submitted. The assignment will not be returned unless requested.

History Note: Authority G.S. 80-6;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0305 AUTOMATIC TRANSFER

The merger or consolidation of a corporate registrant will be recognized as an automatic transfer of the registration of any mark to the surviving or resulting corporation. Notation in the trademark records of the Department of the Secretary of State of the automatic transfer will be made upon written request from the surviving or resulting corporation subject to the following:

- (1) If the articles of merger or consolidation are on file in the corporation records of the department, no additional filing and no recording fee is due.
- (2) If the articles of merger or consolidation are not on file in the corporation records of the department, a copy of the articles of merger or consolidation duly certified by the proper official of the state of incorporation must be submitted with the request for automatic transfer of the registration. A recording fee of ten dollars (\$10.00) is required.

History Note: Authority G.S. 80-7;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0306 NAME CHANGE

If the name of a corporate registrant is changed by amendment to its charter, proper notation of the change will be made in the trademark records upon written request from the registrant subject to the following:

- (1) If the charter document effecting the change is on file in the corporation records of the department, no additional filing is required.
- (2) If the charter document effecting the change is not on file in the corporation records of the department, a copy of the charter document duly certified by the proper official of the state of incorporation must be submitted with the request.

History Note: Authority G.S. 80-7;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0307 RENEWALS

(a) Notice of expiration of the registration of a mark will be mailed to the last known address of the registrant at the beginning of the sixth month prior to expiration. A current form "Application for Renewal of Registration of Trademark or Service Mark" will be enclosed with the notice. A separate application must be submitted for each registration for which renewal is sought.

(b) A mark registered under the law in effect prior to January 1, 1968 must be renewed according to the current classification of goods or services. Where the goods or services described in the original application for registration

fall in more than one class under the current classification, a separate application for renewal and filing fee must be submitted for each class under which renewal is desired.

(c) The registration of a mark which has been materially changed in use since the original registration may not be renewed, but a new application for registration must be submitted.

History Note: Authority G.S. 80-5;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

18 NCAC 02 .0308 OTHER CHANGES

Changes in the address of the registrant, and a listing of additional goods within the registration classification will be noted in the trademark records of the department upon written request from the registrant.

History Note: Authority G.S. 80-7;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 23, 2017.

Technical changes to Secretary of State rules Effective date: June 1, 2023

From: Ann B. Wall, General Counsel and Rulemaking Coordinator
NC Department of the Secretary of State

Announcement of newly effective technical changes to rules:

The Department of the Secretary of State is pleased to announce that the existing notary rules in 18 NCAC 07 have been reorganized. **NO substantive changes have been made.** The changes have been made in preparation for the publication of proposed rules related to the Remote Electronic Notarization Act (RENA).



The screenshot shows the website https://sosnc.gov/divisions/general_counsel/open_rulemaking_resources. The page features the Secretary of State logo and navigation links. Under the heading "Resources: Law and Rules", there are several links: "Remote Electronic Notarization Act (Session Law 2022-54)", "Notary Statute (Chapter 10B)", "NC Administrative Code (18 NCAC 07)(Existing Rules in New Locations)", "NC Administrative Code (18 NCAC 07)(Existing Rules in Former Locations)", and "Crosswalk Showing Old to New Locations of Rules".

More Information

- re-numbering existing rules in their new locations; and,
- in some instances, re-titling rules.

You may, of course, view the notary rules as reorganized on the OAH website [here](#). In addition, we have added a cross-walk to our website showing the old rule locations with their new locations and, if appropriate, new rule titles. You can view the crosswalk [here](#).



- [NC Administrative Code \(18 NCAC 07\)\(Existing Rules in New Locations\)](#)
- [NC Administrative Code \(18 NCAC 07\)\(Existing Rules in Former Locations\)](#)
- [Crosswalk Showing Old to New Locations of Rules](#)

We are grateful for the close collaboration and assistance of the Codifier of Rules in the N.C. Office of Administrative Hearings and her staff in making the changes. The changes were made pursuant to the Codifier's authority pursuant to N.C. Gen. Stat. §§ 150B-21.5 and 150B-21.20.

The changes include:

- moving existing rules to new locations for the RENA rulemaking process;



This screenshot is identical to the one above, but with red arrows pointing from the list of links in the previous block to the corresponding links on the website. A dashed blue line also highlights the list of links on the website.