



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME: 38

ISSUE: 20

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
- Notice without a scheduled hearing
- Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Department of Public Safety](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncdps.gov/about-dps/administrative-rules>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

- ADOPTION: [14B NCAC 05B .0501](#)
- AMENDMENT: [14B NCAC 05B .0201](#)
- REPEAL:
- READOPTION with substantive changes:
- READOPTION without substantive changes:
- REPEAL through READOPTION:

4. Proposed effective date: [08/01/2024](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
05/03/2024	10:00am	Archdale Building, Ground Floor Hearing Room, 512 North Salisbury Street, Raleigh NC 27699

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

Amendments to 14B NCAC 05B .0201 will remove the grant application period, application deadline, and application requirements to more closely align with federal grant application cycles, which occur at different times throughout the year and include varying application eligibility requirements and deadlines.

The adoption of 14B NCAC 05B .0501 will authorize the DPS Secretary to waive any rule in Subchapter 05B that is not statutorily required based on specific factors.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: [Margaret McDonald](#)
Address: [512 North Salisbury Street](#)
[Raleigh, NC 27604](#)
Phone (optional):
Fax (optional):
EMail (optional) margaret.mcdonald@ncdps.gov

10. Comment Period Ends: 06/14/2024

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

[State funds affected](#)
[Local funds affected](#)
[Approved by OSBM](#)

12. Rule-making Coordinator:

Name: [Margaret McDonald](#)
[919-825-2743](#)
margaret.mcdonald@ncdps.gov

Agency contact, if any:

Name:
Phone:
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: 03/08/2024

1 14B NCAC 05B .0201 is amended with changes as published in ## NCAC # as follows:

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3 **SECTION .0200 - PROGRAM GRANTS**

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5 **14B NCAC 05B .0201 APPLICATIONS FOR GRANTS**

6 (a) The Executive Director of the Commission shall designate requirements for submission of grant applications. ~~The~~
7 ~~grant application period shall begin on November 1 of each year and end on January 31.~~ Funding priorities, as
8 determined by the Commission, shall be listed on the Commission's website prior to the opening of an application
9 period.

10 (b) Grant application submission dates shall be announced on the Commission website, [https://www.ncdps.gov/about-](https://www.ncdps.gov/about-dps/boards-and-commissions/governors-crime-commission/grant-process)
11 ~~dps/boards-and-commissions/governors-crime-commission/grant-process~~ ~~not less than 90 days~~ before the application
12 is due.

13 (c) Grant applications shall be electronically submitted to the Commission through the Grants Management System
14 (GMS) on or before the date announced on the Commission website.

15 ~~(d) To be considered for funding, applicants shall complete the grant application, which shall may include the~~
16 ~~following information:~~

17 (1) ~~names, mailing addresses, telephone numbers, and signatures of the applicant;~~

18 (2) ~~project information, including the following:~~

19 (A) ~~a description of the project, its goals and objectives, and outcomes;~~

20 (B) ~~the issues or problems addressed by the project;~~

21 (C) ~~project operation and activities; and~~

22 (D) ~~a sustainability plan;~~

23 (3) ~~a proposed budget;~~

24 (4) ~~a project time line;~~

25 (5) ~~an explanation of how the project's results will be monitored and evaluated;~~

26 (6) ~~any other information required by these Rules or requested by the Section in order to make a decision~~
27 ~~on the grant proposal; and~~

28 (7) ~~a description of how the objectives of the proposed project are consistent with the outcomes and~~
29 ~~guidelines set forth in a State or federal grant program.~~

30 (e) Applicants seeking funding for a two-year project shall submit the information required by Paragraph (d) with the
31 requirements of Part (d)(2)(A), Part (d)(2)(C), and Subparagraph (d)(5) written to address the two-year grant period.
32 Applicants shall also submit two one-year budgets.

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34 *History Note: Authority G.S. 143B-1103; 143B-1104;*

35 *Eff. March 1, 2019;*

36 *Amended Eff. April 1, 2023.*

37 *Amended Eff. August 1, 2024.*

1 # NCAC #.# is proposed for adoption as follows:

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SUBCHAPTER 05B

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SECTION .0500 – EXCEPTIONS

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14B NCAC 05B .0501 WAIVER

7 The Secretary may waive any rule in this Subchapter that is not statutorily required. Factors the Secretary shall use in
8 determining whether to waive a rule are:

9 (1) the need to comply with a legislatively mandated or other off cycle grant;

10 (2) the nonrecurring use of expiring funds;

11 (3) a declared emergency; or

12 (4) when the Commission is acting solely as a fiscal agent.

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14 History Note: Authority G.S. 143B-602(5); 143B-602(8)(b)

15 Eff. August 1, 2024.

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