

**G.S. 150B-21.3A Report for 18 NCAC Chapter 4, CORPORATIONS DIVISION**

Agency - Secretary of State

Comment Period - 12/16/2014 through 02/16/2015

Date Submitted to APO - October 20, 2015

| Rule Section                              | Rule Citation                                     | Rule Name  | Date and Last Agency Action on the Rule       | Agency Determination [150B-21.3A(c)(1)a]      | Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)] | Federal Regulation Citation | Public Comment Received [150B-21.3A(c)(1)]    | Agency Determination Following Public Comment [150B-21.3A(c)(1)] | RRC Determination of Public Comments [150B-21.3A(c)(2)]  | RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]                   | OAH Next Steps                     |
|---|---|--|---|---|---|-----------------------------|---|--|--|--|------------------------------------|
| SECTION .0100 - GENERAL PROVISIONS        | 18 NCAC 04 .0101                                  | LOCATION AND HOURS                                     | Amended Eff. April 1, 2003                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0102                                  | ADMINISTRATION AND FUNCTIONS                           | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| SECTION .0200 - PAYMENT OF FEES AND TAXES | 18 NCAC 04 .0201                                  | TENDER OF FEE  | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0202                                  | FORM OF PAYMENT  | Eff. February 1, 1976                         | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0203                                  | INVOICES   | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0204                                  | CANCELLATION FOR NONPAYMENT                            | Eff. February 1, 1976                         | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0205                                  | OVERPAYMENT  | Amended Eff. March 1, 1996                    | Unnecessary                                   | No  | Not applicable              | No  | Unnecessary  | No comments with merit   | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|   | 18 NCAC 04 .0206                                  | DOCUMENTS NOT SPECIFICALLY PROVIDED FOR                | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| SECTION .0300 - FILING OF DOCUMENTS       | 18 NCAC 04 .0302                                  | EXECUTION  | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0303                                  | REJECTION  | Amended Eff. March 1, 1996                    | Unnecessary                                   | No  | Not applicable              | No  | Unnecessary  | No comments with merit   | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|   | 18 NCAC 04 .0304                                  | IDENTIFICATION OF CORPORATION/LLC AND TYPE OF DOCUMENT | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0305                                  | CORRECTIVE FILINGS -- LIMITED PARTNERSHIPS             | Amended Eff. March 1, 1996                    | Unnecessary                                   | No  | Not applicable              | No  | Unnecessary  | No comments with merit   | Unnecessary and should expire on the first day of the month following the consultation           | Rule expired - remove from Code    |
|   | 18 NCAC 04 .0306                                  | INCORPORATION BY REFERENCE                             | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0307                                  | APPLICATION FOR RESERVATION OF NAME                    | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|   | 18 NCAC 04 .0308                                  | REGISTERED OFFICE AND REGISTERED AGENT                 | Amended Eff. March 1, 1996                    | Necessary without substantive public interest | No  | Not applicable              | No  | Necessary without substantive public interest                    | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| 18 NCAC 04 .0309                          | ARTICLES OF AMENDMENT                             | Amended Eff. February 25, 1977                         | Necessary without substantive public interest | No  | Not applicable  | No                          | Necessary without substantive public interest | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note   |                                    |
| 18 NCAC 04 .0311                          | ART OF MERGER/SHARE EXCH INVOLVING FOREIGN ENTITY | Amended Eff. March 1, 1996                             | Necessary without substantive public interest | No  | Not applicable  | No                          | Necessary without substantive public interest | No comments with merit   | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note   |                                    |

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|---------------------------------------|------------------|---|---|---|---|-----------------------------|--|--|---|--|------------------------------------|
|                                       | 18 NCAC 04 .0316 | FORM FOR ANNUAL REPORT  | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|                                       | 18 NCAC 04 .0317 | AUTHORIZATION OF CORRECTIONS ON DOCUMENTS                     | Eff. March 1, 1996                      | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|                                       | 18 NCAC 04 .0318 | AUTHORIZATION OF FOREIGN PROFESSIONAL CORPORATIONS            | Eff. March 1, 1996                      | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| <b>SECTION .0400 - CERTIFICATIONS</b> | 18 NCAC 04 .0401 | DOCUMENTS   | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|                                       | 18 NCAC 04 .0402 | CERTIFICATION OF FACTS/CERTIFICATE OF EXISTENCE/AUTHORIZATION | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
| <b>SECTION .0500 - CORPORATE NAME</b> | 18 NCAC 04 .0501 | GENERAL   | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|                                       | 18 NCAC 04 .0502 | WORDS PROHIBITED IN ADDITION TO STATUTORY PROHIBITIONS        | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|                                       | 18 NCAC 04 .0503 | DECEPTIVELY SIMILAR AND DISTINGUISHABLE NAMES                 | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |
|                                       | 18 NCAC 04 .0504 | FILING FICTITIOUS OR ASSUMED NAME FOR FOREIGN ENTITY          | Amended Eff. March 1, 1996              | Necessary without substantive public interest | No  | Not applicable              | No   | Necessary without substantive public interest                    | No comments with merit                                  | Necessary without substantive public interest and should remain in effect without further action | Keep in Code - Update History Note |