

G.S. 150B-21.3A Report for 18 NCAC 06, Securities Division

Agency - Department of the Secretary of State

Comment Period - April 2, 2024 - June 3, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	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
		18 NCAC 06A .1305	SPONSORSHIP BY DEALER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1306	CONFIRMATION OF REGISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1307	COMMISSIONS AND EXPENSES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1308	ADVERTISING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1310	OFFERING PRICE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1313	REGISTRATION OF DIRECT PARTICIPATION PROGRAM SECURITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1314	ESCROW AGREEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1315	NOTICE OF COMPLETION OF OFFERING/FINAL SALES REPORT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1316	LEGENDS REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1317	AMENDMENT OF FILINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1318	AUTOMATIC WITHDRAWAL OF APPLICATION FOR REGISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1319	REQUIRED DISCLOSURES: VIATICAL SETTLEMENT CONTRACTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1320	VIATICAL SETTLEMENT CONTRACT SUITABILITY REQUIREMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .1400 - REGISTRATION OF DEALERS AND SALESMEN	18 NCAC 06A .1401	APPLICATION FOR REGISTRATION OF DEALERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1402	APPLICATION FOR REGISTRATION OF SALESMEN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1403	TERMINATION OF REGISTRATION OF DEALER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1404	CHANGE IN NAME OF DEALER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1405	DEALER MERGER/CONSOLIDATION/A CQUISITION/SUCCESSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One

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Subchapter	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
		18 NCAC 06A .1406	EXPIRATION AND RENEWAL OF DEALER REGISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1407	EXPIRATION AND RENEWAL OF SALESMAN'S REGISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1408	TERMINATION OF SALESMAN'S REGISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1410	MINIMUM FINANCIAL REQUIREMENTS FOR DEALERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	17 C.F.R. 240.15c3-1, 17 C.F.R. 240.15c3-2, and 17 C.F.R. 240.15c3-3	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1411	RECORD KEEPING REQUIREMENTS FOR DEALERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	15 U.S.C. 78o and 17 C.F.R. 240.17a-3 and 17 C.F.R. 240.17a-4	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1412	FINANCIAL STATEMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	17 C.F.R. 240.17a-5, 17 C.F.R. 240.17	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1413	SALESMAN EXAMINATION REQUIRED	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1414	DISHONEST/UNETHICAL PRACTICES OF DEALERS AND SALESMEN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1415	REGISTRATION OF PARTNERS/EXECUTIVE OFFICERS/DIRECTORS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1416	REPORTING REQUIREMENTS OF DEALERS AND SALESMEN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1417	APPLICATION FOR LIMITED REGISTRATION OF CANADIAN SECURITIES DEALERS AND SALESMEN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .1500 MISCELLANEOUS PROVISIONS	18 NCAC 06A .1501	RESCISSION OFFERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1502	APPLICATION TO EXCHANGE SECURITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1503	FORM OF CONSENT TO SERVICE OF PROCESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1504	REQUEST FOR INTERPRETATIVE OPINIONS: NO ACTION LETTERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1507	IMPLICATIONS OF REGISTRATION OR EXEMPTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1508	FAILURE TO FURNISH INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1510	LIMITED LIABILITY COMPANY MEMBERSHIP INTERESTS AS SECURITIES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One

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	SECTION .1700 REGISTRATION OF INVESTMENT ADVISERS AND INVESTMENT ADVISER REPRESENTATIVES	18 NCAC 06A .1701	DEFINITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1702	APPLICATION FOR INVESTMENT ADVISER REGISTRATION/NOTICE FILING FOR INVESTMENT ADVISER COVERED UNDER FEDERAL LAW	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	17 C.F.R. 279.1	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1703	APPLICATION/INVESTMENT ADVISER REPRESENTATIVE REGISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1704	MINIMUM FINANCIAL REQUIREMENTS FOR INVESTMENT ADVISERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1705	BONDING REQUIREMENTS FOR CERTAIN INVESTMENT ADVISERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1706	RECORD KEEPING REQUIREMENTS FOR INVESTMENT ADVISERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	Investment Company Act of 1940, s. 2(a)(9)	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1707	INVESTMENT ADVISER BROCHURE RULE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	17 C.F.R. 279.1	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1708	FINANCIAL REPORTING REQUIREMENTS FOR INVESTMENT ADVISERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1709	EXAM REQUIRE/INVESTMENT ADVISERS: REPRESENTATIVES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1710	TERMINATION/WITHDRAWAL/INVESTMENT ADVISER REGISTRATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1713	INVEST ADVISER MERGER/CONSOLIDATION/AQUISITION/SUCCESSION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1715	INVESTMENT ADVISER REGISTRATION DEPOSITORY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1717	CASH PAYMENTS FOR CLIENT SOLICITATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	Investment Company Act of 1940, ss. 203(e), 203(e) Paragraphs (1), (5) or (6) and 203(e)(2)(A)-(D)	Select One	Select One	Select One	Select One	Select One
	SECTION .1800 MISCELLANEOUS PROVISIONS INVESTMENT ADVISERS	18 NCAC 06A .1801	DISHONEST OR UNETHICAL PRACTICES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	National Securities Markets Improvement Act of 1996; Investment Advisers Act of 1940, s. 215 and Rules 206(4) 1, 206(4) 2, 206(4) 2(b)	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1802	CUSTODY/CLIENT FUNDS OR SECURITIES BY INVESTMENT ADVISERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	Yes If yes, include the citation to the federal law	Securities Exchange Act of 1934, s. 15, 17 C.F.R. 240.15c3-1	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1803	AGENCY CROSS TRANSACTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1804	EXEMPTION/SECTION 78C 8(A)(3)/CERTAIN BROKER DEALERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One

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		18 NCAC 06A .1805	PERFORMANCE BASED COMPENSATION EXEMPTION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1806	TRANSACTIONS DEEMED NOT TO BE ASSIGNMENTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1807	REQUEST FOR INTERPRETATIVE OPINIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1808	SUPERVISION OF INVESTMENT ADVISER REPRESENTATIVES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .1810	FORM OF CONSENT TO SERVICE OF PROCESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .2000 – INVEST NC EXEMPTION (CROWDFUNDING)	18 NCAC 06A .2001	PURPOSE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2002	SCOPE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2003	DEFINITIONS	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	Public Law 87-722 (12 U.S.C. 92a, Securities Act of 1933 s.3(a)(11), 15 U.S.C. § 77c(a)(11), 17 C.F.R. § 230.147.	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2004	EXEMPTION LIMITATIONS	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	Securities Act of 1933 s. 2(a)(15)(ii), 15 U.S.C. 77b(a)(15)(ii), 17 CFR 230.501, 17CFR 229,1101(c)	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2005	COUNTING SALES	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2007	ISSUER FILING REQUIREMENTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2008	NOTICE OF INTRASTATE CLAIM OF EXEMPTION FORM REQUIREMENTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2009	SIGNING FORM NCE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2010	CONTENT OF DISCLOSURE DOCUMENT	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	17 CFR 230.147(f)(3), 17 CFR 230-147A(f)(3)	Select One	Select One	Select One	Select One	Select One

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		18 NCAC 06A .2011	REQUIRED STATEMENTS TO INCLUDE IN ISSUER DISCLOSURE DOCUMENT	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	17 C.F.R. 230.504 and 17 C.F.R 230.505	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2012	CIRCUMSTANCES WHEN ADDITIONAL DISCLOSURE DOCUMENT CONTENT REQUIRED	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2013	ISSUER TO CEASE OFFERING AND AMEND THE DISCLOSURE DOCUMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2014	FACTORS CONSIDERED WHEN REVIEWING THE CLAIM OF EXEMPTION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2015	ADMINISTRATOR'S NOTICE OF COMPLIANCE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2016	DENIAL OR REVOCATION OF THE EXEMPTION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2017	ESCROW ACCOUNT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2018	ISSUER TO PROVIDE INFORMATION TO THE ESCROW AGENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2019	TERMS OF ESCROW AGREEMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2020	REVIEW OF THE ESCROW AGREEMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2021	ADMINISTRATOR'S REJECTION OF ESCROW AGREEMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2022	ADMINISTRATOR NOTICE OF APPROVAL OR REJECTION OF ESCROW AGREEMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2023	ESCROW AGENT DUTIES, RESPONSIBILITIES, AND STANDARDS OF CONDUCT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2024	NOTICE TO ADMINISTRATOR MINIMUM OFFERING AMOUNT REACHED, FUNDS RELEASED FROM THE ESCROW ACCOUNT, AND TERMINATION OF ESCROW AGREEMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2025	CONTENT OF NOTICE OF RELEASE OF FUNDS FROM ESCROW ACCOUNT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2026	REGISTERED DEALER ACTING AS AN ESCROW AGENT	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	17 CFR 240.15c2-4, 17 CFR 240.10b-9	Select One	Select One	Select One	Select One	Select One

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		18 NCAC 06A .2027	ESCROW AGENT REQUIREMENTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2028	TREATMENT OF INFORMATION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2030	FUNDING PORTAL REGISTRATION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2031	CONTENTS OF FORM NCFP	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2032	REQUIRED FUNDING PORTAL ATTESTATIONS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2033	REVIEW OF THE FUNDING PORTAL REGISTRATION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2034	ADMINISTRATOR DENIAL OR REVOCATION OF FUNDING PORTAL REGISTRATION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2035	ADMINISTRATOR NOTICE OF EFFECTIVE FUNDING PORTAL REGISTRATION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2036	FUNDING PORTAL NOTICE TO ADMINISTRATOR OF changes	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2037	FUNDING PORTAL FINANCIAL INTEREST IN ISSUER	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2038	FUNDING PORTAL DENIAL OF ACCESS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2039	FUNDING PORTAL STANDARDS OF CONDUCT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2041	LIMITATIONS ON GENERAL SOLICITATION AND ADVERTISING	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2042	MEDIA COVERAGE OF A SECURITIES OFFERING USING THE EXEMPTION	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2043	MANDATORY CONTENT REQUIREMENT IN PERMITTED ADVERTISING NOTICE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2044	OTHER REQUIREMENTS FOR PERMITTED ADVERTISING NOTICES	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2045	ESTABLISHING A PLATFORM	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2046	INDIVIDUALS NOT SUBJECT TO DEALER REGISTRATION	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	17 CFR 240.3a4-1	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2047	RETENTION OF PLATFORM COMMUNICATIONS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2048	ADMINISTRATION OF PLATFORM COMMUNICATION CHANNELS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2049	ADDITIONAL COMMUNICATION CHANNEL REQUIREMENTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2051	PROVIDING Documents TO PROSPECTIVE INVESTORS AND INVESTORS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2052	MANNER OF PROVIDING DISCLOSURE AND OTHER DOCUMENTS TO A PROSPECTIVE INVESTOR OR AN INVESTOR	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2053	ISSUER SHALL REQUIRE INVESTOR ACTIONS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2054	INVESTOR CANCELLATION OF INVESTMENT COMMITMENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2055	RELEASE OF FUNDS IN ESCROW ACCOUNT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 18 NCAC 06, Securities Division

Agency - Department of the Secretary of State

Comment Period - April 2, 2024 - June 3, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	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
		18 NCAC 06A .2056	ISSUER NOTICE TO INVESTORS MINIMUM OFFERING AMOUNT REACHED	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2057	QUARTERLY REPORTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2058	CONCLUSION OF THE OFFERING	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2060	ISSUER RECORDKEEPING REQUIREMENTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2061	FUNDING PORTAL RECORDKEEPING REQUIREMENTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2062	REQUIREMENT FOR RETENTION OF ORIGINAL OR EQUIVALENT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2063	PROTECTION OF INVESTORS AGAINST FRAUD AND OTHER MISCONDUCT	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2064	INTEGRATION	Eff. April 1, 2017	Necessary	Yes If yes, include the citation to the federal law	17 CFR 230.147, 17 CFR 230.152	Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2065	REQUEST FOR WAIVER	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2066	FACTORS ADMINISTRATOR MAY CONSIDER WITH REGARD TO WAIVER REQUESTS	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2067	ADMINISTRATOR NOTICE OF APPROVAL OR DENIAL OF A WAIVER	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2068	SIGNATURES	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2069	ELECTRONIC SIGNATURE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2070	SIGNATURE VERIFIES INFORMATION IS TRUE	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2071	FILING WITH THE ADMINISTRATOR	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2073	FILING ELECTRONICALLY	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2074	AMENDING A DOCUMENT FILED WITH THE ADMINISTRATOR	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2075	ABANDONMENT OR WITHDRAWAL OF FILING	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2076	CALCULATION OF TIME	Eff. April 1, 2017	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .2100 – RULES FOR LOCAL PUBLIC OFFERINGS (LPO)	18 NCAC 06A .2101	PURPOSE	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2102	SCOPE	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2103	DEFINITIONS	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2104	LPO LIMITATIONS	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2105	MANDATORY CONFERENCE	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2106	FILING REQUIREMENTS FOR LPO	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2107	CONTENTS OF FORM NCE-LPO	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2108	ADDITIONAL LEGEND REQUIREMENT FOR DISCLOSURE DOCUMENT	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2109	ESCROW PROVISIONS	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2110	OPTIONAL USE OF INTERNET BY AN ISSUER OF AN LPO	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2111	GENERAL SOLICITATION AND ADVERTISING FILING REQUIREMENTS	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2112	GENERAL SOLICITATION AND ADVERTISING FOR WHICH FILING IS REQUIRED	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 18 NCAC 06, Securities Division

Agency - Department of the Secretary of State

Comment Period - April 2, 2024 - June 3, 2024

Date Submitted to APO - Filled in by RRC staff

Subchapter	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
		18 NCAC 06A .2113	GENERAL SOLICITATION AND ADVERTISING FOR WHICH FILING IS NOT REQUIRED	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2114	UNACCEPTABLE GENERAL SOLICITATION AND ADVERTISING	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2115	ADMINISTRATOR ADVISORY REVIEW OF GENERAL SOLICITATION AND ADVERTISING MATERIALS	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2116	RECORDKEEPING REQUIREMENTS	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2117	PROHIBITED LPO ISSUER BUSINESSES	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2118	ADMINISTRATOR MAY CONSIDER CERTAIN OTHER BUSINESS STRUCTURES	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2119	REVIEW OF THE ISSUER BUSINESS STRUCTURE	Eff. April 1, 2017 to expire on April 1, 2026	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06A .2120	SUNSET PROVISION	Amended Eff. February 1, 2021	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 06B – GENERAL	SECTION .0100 – PURPOSE	18 NCAC 06B .0101	SCOPE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06B .0102	ADMINISTRATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0200 – CONSOLIDATED RULES	18 NCAC 06B .0201	SENIOR DESIGNATION AS DISHONEST OR UNETHICAL PRACTICE	Amended Eff. October 1, 2019	Necessary	No		Select One	Select One	Select One	Select One	Select One
SUBCHAPTER 06C – INVESTIGATIONS, ENFORCEMENT AND HEARINGS		18 NCAC 06C .0101	LETTER OF INQUIRY	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0102	INVESTIGATIVE SUBPOENAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0103	ADMINISTRATIVE HEARINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0104	SETTLEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0105	ARTICLE 3A CONTESTED CASE PROCEDURES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0106	TEMPORARY ORDERS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0107	CONDUCT OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One
		18 NCAC 06C .0108	FINAL ORDER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016	Necessary	No		Select One	Select One	Select One	Select One	Select One