Overview of Administrative Rulemaking Process

Stage 1: Statement of Scope

- Preparation of scope by agency staff.
- DOA review.
- Gubernatorial approval.
- Publication in Administrative Register.
- Preliminary hearing, if held.
- Approval by agency head.

Time in Stage: 1 month

Total Time in Rulemaking Process: 1 month

Stage 2: Initial Drafting

- Initial drafting of rule by agency staff.
- Preparation of Economic Impact Analysis, including solicitation of public comment.

Time in Stage: 1 to 4 months

Total Time: 2 to 5 months

Stage 3: External Reviews

- Review by Legislative Council Staff.
- Agency public hearing and public comment period.

Time in Stage: 1 to 2 months

Total Time: 3 to 7 months

Stage 4: Final Agency Review

- Agency responds to Legislative Council review and public comment.
- Rule revisions and final drafting.
- Gubernatorial approval.

Time in Stage: 2 weeks to 1 month

Total Time: 3.5 to 8 months

Stage 5: Legislative Review

- Referral to standing committee by legislative leadership.
- 30-day standing committee passive review.
- 30-day JCRAR passive review.
- Opportunities for legislative objection.

Time in Stage: 3 months

Total Time: 6.5 to 11 months

Stage 6: Publication

- Agency submits rule to LRB.
- Formatting and publication by LRB in Administrative Register.
- Rule takes effect on day after publication.

Time in Stage: 1 to 2 months

Total Time: 7.5 to 13 months

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Please note this overview describes the process for a typical rulemaking. Rules developed using extraordinary processes, such as citizen-initiated rulemaking or internal board approvals, may require additional time.