



Checklist for Permanent Rulemaking

https://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx

This information comes from the Oregon Department of Justice

- Appoint rulemaking advisory committee, Small Business Rules Advisory Committee (for new rules), or use other means to obtain public input, as appropriate.
- Draft proposed new or amended rules, or identify rules for repeal.
- Prepare Notice of Proposed Rulemaking Including Statement of Need and Fiscal Impact, using Oregon Administrative Rules Database (OARD).
- Monitor OARD dashboard and make any necessary corrections on returned filings.
- Give notice:
 - a. To specified legislators (49 days before rule is effective);
 - b. To agency mailing list (28 days before rule is effective);
 - c. In Secretary of State's Bulletin (21 days before rule is effective); and
 - d. In accordance with the agency's notice rule.
- Hold rulemaking hearing, if scheduled or requested.
- Maintain the rulemaking record, including agency response to any comments on achieving rule's substantive goals while reducing the negative economic impact on small business.
- Fully consider all written and oral comments, revising as needed including to reduce significant adverse economic impact on small businesses, consistent with public health and safety.
- Adopt, amend, or repeal rules
- Submit permanent rule filing to Archives Division using OARD.
- Monitor OARD dashboard and make any corrections needed on returned filings.
- Provide Rule Report to Legislature no later than February 1 each year including number of rules adopted, amended, or repealed during previous 12-month period.
- Review newly-adopted rules no later than five years after adoption to determine whether (1) rule should be repealed or amended; (2) fiscal impact statement was accurate; (3) rule had intended effect; and (4) rule impacted small business. Submit report to advisory committee (if any), Secretary of State, and Small Business Rules Advisory Committee (if Committee did not complete the review).