

The rule making process in New York State . . .

LEGISLATURE

- ~ The New York State Legislature passes statute that grants authority to a state agency to promulgate rules and regulations.
- ~ The Administrative Regulations Review Commission (ARRC) reviews each newly proposed rule to examine issues of compliance with legislative intent, as well as the impact on the economy and affected parties. Public comment on any regulatory matter can be sent to the Commission, at:

ARRC
State Capitol
Albany, NY 12247

STATE AGENCY

- Writes proposed rule.
- Prepares a Regulatory Impact Statement to address the impact on regulated parties, as well as a Regulatory Flexibility Analysis for Small Businesses and Local Governments, Rural Area Flexibility Analysis and Job Impact Statement.
- Obtains approval to proceed from the Governor's Office of Regulatory Reform.
- Submits the proposed rule, with accompanying statements, to the Department of State for publication in the *New York State Register*; submits copies to ARRC and legislative leaders.
- Considers public comment for a required statutory period of time (minimum of 45 or 60 days, depending on situation). If substantial changes are required, submits a revised notice for publication in the *Register*, initiating another (30-day) comment period.
- Adopts the final rule.
- Files text of adopted rule with the Department of State's Division of Administrative Rules, with an Assessment of Public Comment.

PUBLIC COMMENT

The public has an opportunity to comment on proposed rules by providing testimony at public hearings or by writing directly to the agency.

EXECUTIVE REVIEW

The Governor's Office of Regulatory Reform reviews proposed rules for necessity, clarity, consistency and efforts to reduce burdensome effects.

The Office may extend the comment period, require an agency to provide more information or require a public hearing.

GORR
P.O. Box 2107
Empire State Plaza, Bldg. 1
Albany, NY 12220

The full text of the rule is filed with the Department of State.

- " A Notice of Adoption is published in the *New York State Register* to provide public notice that a new or amended rule has been adopted. Generally, a rule is effective when the Notice of Adoption appears in the *Register*. Readers track proposed actions by referencing the "Action Pending Index" each week.
- " The complete, official text of the new rule is published in the semi-monthly supplementation to the NYCRR. Subscribers may purchase the NYCRR by volume, Title or as a full set by calling West Group.