



# Checklist for Temporary Rulemaking

[https://sos.oregon.gov/archives/Pages/oregon\\_administrative\\_rules.aspx](https://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx)

This information comes from the Oregon Department of Justice

- Consider whether appropriate to appoint rulemaking advisory committee, or use other means to get public input.
- Draft the temporary rule
- Prepare the Statement of Need and Justification, including:
  - a. Statement of findings that prompt action needed to avoid serious prejudice with specific reasons (justification);
  - b. Citation to statutory authority and statute(s) implemented;
  - c. Statement of need;
  - d. Documents relied upon and their location;
  - e. Housing cost impact statement (certain agencies only).
- Consider whether practicable to provide abbreviated notice and hold hearing.
- Adopt, amend or suspend rule, after considering fully all written or oral submissions, if any.
- Submit temporary rule filing to Archives Division using Oregon Administrative Rules Database (OARD).
- Monitor OARD dashboard and make any necessary corrections on returned filings.
- Notify affected persons.
- Review rule and determine whether permanent adoption, amendment or repeal is necessary before temporary rule expires (at most, 180 days from effective date).
- Provide Rule Report to Legislature no later than February 1 each year regarding all rules adopted, amended, or suspended during previous 12-month period including: number of rules, list of rules, statement of need for each rule and agency's findings that failure to act promptly would result in serious prejudice to interest of public or parties concerned, and explanation why temporary rulemaking process appropriate and permanent rulemaking process not appropriate for each rule.