



Permanent Rulemaking Overview

Overview is compiled from the requirements set forth in the Attorney General's Administrative Law Manual.

The Publications Unit of the Secretary of State Archives Division accepts Administrative Rule filings and publishes the Administrative Rules.

The Attorney General's office has the authority to interpret Administrative Rules and give legal advice concerning Administrative Rules.

Legislative Counsel reviews Administrative Rules regarding constitutionality and scope and intent of enabling legislation.

Rulemaking Steps:

Appoint an advisory committee and get public input on the content of the proposed rules or rule modifications.

Notify the public of proposed rulemaking actions in the following ways:

Publish a Notice of Proposed Rulemaking in the Oregon Bulletin. A Notice of Proposed Rulemaking includes a Statement of Need and Fiscal Impact and must be published in the Oregon Bulletin at least 14 days prior to the hearing date (if scheduling a hearing) and 21 days prior to the effective date of the rule. The Oregon Bulletin is posted on or around the 1st of each month. The Administrative Rules Unit accepts rulemaking notices and filings through its on-line filing system, OARD:

sos.oregon.gov/archives/Pages/fileonline.aspx

The filing deadline is the last calendar day of each month.

File Rulemaking Notices with their Statements of Need & Fiscal Impact online:

sos.oregon.gov/archives/Pages/fileonline.aspx

Find Rulemaking worksheets, access to the OARD Database and the Oregon Bulletin:

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

For questions about rule filing or OAR publications, Adminrules.Archives@sos.oregon.gov or 503-373-0701 opt. 2.

Agencies listed in ORS 183.530 must also include a housing cost impact statement as described in ORS 183.534.

Notify individuals, organizations and agencies listed on the agency rulemaking mailing list. Notices must be mailed at least 28 days before the effective date of the rule. Also provide draft text or text access information.

Notify public in accordance with agency notice rule.

Email a copy of the Notice to legislators as required by ORS 183.335(15). Notices must be mailed at least 49 days before the effective date of the rule.

Conduct a hearing, if scheduled or requested, complying with OAR 137-001-0030 and the "Attorney General's Public Records and Meetings Manual."

Complete and file a permanent administrative rule filing using the Administrative Rules Unit's on-line filing system: sos.oregon.gov/archives/Pages/fileonline.aspx

The printable filing receipt, stamped with the date filed with the Secretary of State's office, is in the Filings Final Queue of the OARD Dashboard.

Make sure to return to the OARD to see if your filing has been returned for corrections or accepted and "Published."

Accepted filings will be promoted to Legislative Counsel's OARD dashboard by the OARD system, fulfilling the requirements of ORS 183.715(1).