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# Checklist for Statement of Need and Fiscal Impact

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This information comes from the DOJ AG's Administrative Law Manual and Uniform and Model Rules of Procedure under the Administrative Procedures Act book.

## Statement of Need

- What need is the agency trying to address through the proposed rule change?
- How does the proposed rulemaking address that need?
- Can interested parties tell why the agency is proposing a rule change by reading the Statement of Need?

## Statement of Fiscal Impact

- Are any state agencies likely to be economically affected by the rule change?
  - If yes, which ones?
- Are any units of local government likely to be economically affected by this rule change?
  - If yes, which ones?
- Are any members of the public likely to be economically affected by the rule change?
  - If yes, which ones?
- Can the agency provide an estimate of the economic impact on state agencies, units of local government, and members of the public?
  - If yes, what is the estimate for each, positive or negative?
- Has the agency included a cost of compliance on small businesses affected, including:
  - An estimate of the number of small businesses subject to the proposed rule;
  - An identification of the types of businesses and industries subject to the rule;
  - A description of expected reporting, recordkeeping, and administrative activities required to comply with the rule;
  - An estimate of the cost of professional services required to comply with the rule;
  - An identification of the equipment, supplies, and labor, and increased administration required to comply with the rule; and

- A description of how small businesses were involved in developing the rule.
- If the agency cannot provide an estimate of the economic impact on state agencies, units of local government, or members of the public, does the statement of fiscal impact explain why an estimate is not possible?
- Does the agency need to provide a housing cost impact statement ORS 183.530 to 183.538?
- Is the fiscal impact statement sufficient to notify those who might be economically affected to evaluate their position?

**Public Comment**

- Does the notice or fiscal impact statement invite public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact on business?