Rule Draft

A video of these instructions can be found on the Oregon State Archives YouTube channel

This overview explains how to create a rule draft in the Oregon Administrative Rules Database (OARD). You must be an approved rules coordinator or rules writer to have access to this application.

1. Login here https://secure.sos.state.or.us/oim/login. If you don't see the **Oregon Admin Rules** link, make sure your rules coordinator has requested access for you if you are a rule writer. Rules writers are given access by the rules coordinator to OARD. If you are a rules coordinator, make sure your delegation form has been submitted to the Administrative Rules Unit. Only rules coordinators can have delegated rulemaking authority.

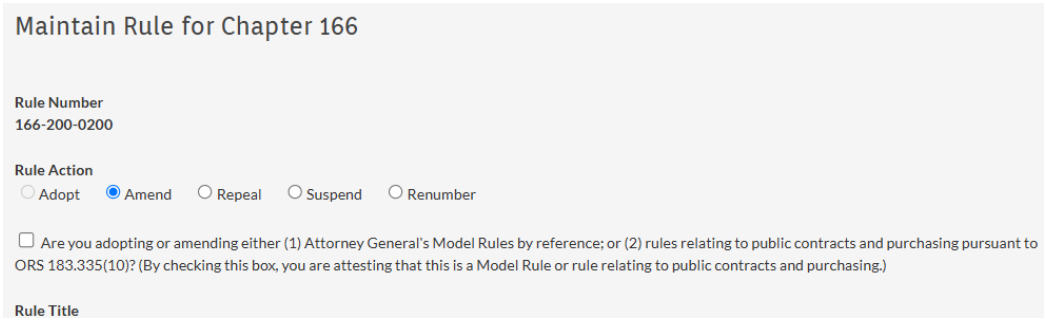
2. To gain access complete the Rules Coordinator and Delegation of Rulemaking Authority Form and send it to the Administrative Rules Unit at adminrules.archives@sos.oregon.gov. Please allow 2-3 business days for processing. If the form has been submitted and you still don't see this link, contact the Administrative Rules Unit at 503-373-0701, option 2, or by email at adminrules.archives@oregon.gov.

3. After clicking the link for Oregon Admin Rules, the Chapter Selection displays. You may see one option or many. Your screen may not look exactly like this. It will be customized for your agency and access level. Click the chapter you wish to work in:

4. **Amend, renumber, repeal, or suspend** an administrative rule from the dashboard select a rule that already exists from the **Current Chapter Rules**, by clicking on the division number and name. Then select **Start Draft** from the **Action** column within the **Current Chapter Rules** table.

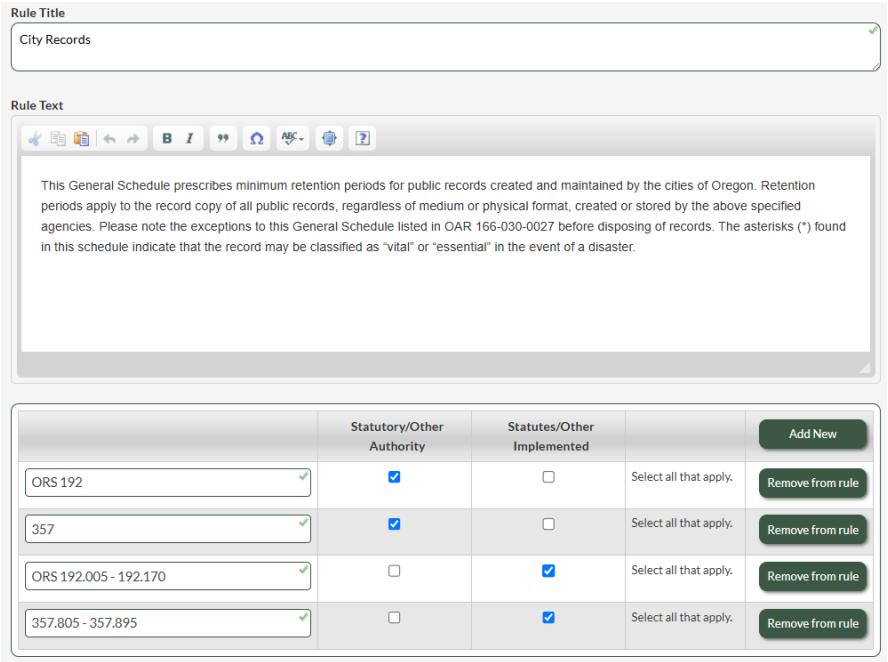
5. Next displays the Maintain Rule page. There are radio buttons for actions you can take under **Rule Action**. Because this is an existing rule you will not be allowed to **adopt**. You can pick any of the others: amend, repeal, suspend, renumber. See below for further information.

- **Amend** lets you edit the rule title, Rule Text, and other information.

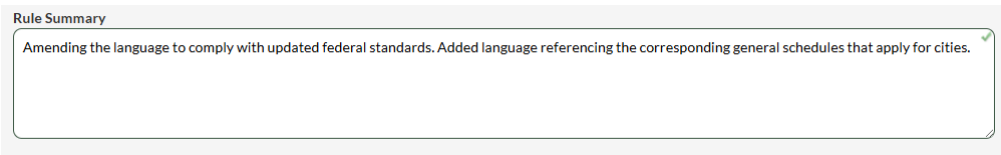


- Do not check the box for "Are you adopting or amending either Attorney General's Model Rules…" unless this is a Model Rule or a rule relating to public contracts or purchasing that is not subject to the normal rulemaking process. For more information on model rules see the Attorney General's website, or contact your agency's assigned DOJ counsel for more guidance. A model rule does not require a notice of proposed rulemaking filing.

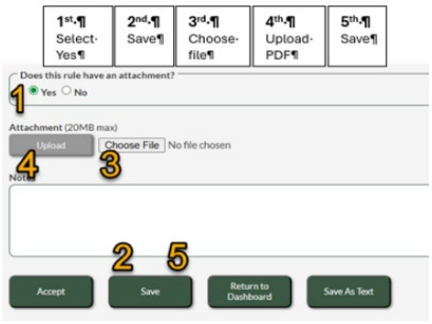
- The next 3 sections (**Rule Title**, **Rule Text** and **Statutes**) have the existing rule text auto filled. Make the changes necessary. You can remove or add statutes, legislative bills, federal laws, etc. Check if it applies to **Statutory/Other Authority** or **Statutes/Other Implemented**. There must be at least one citation for each of the statutory columns as shown below.



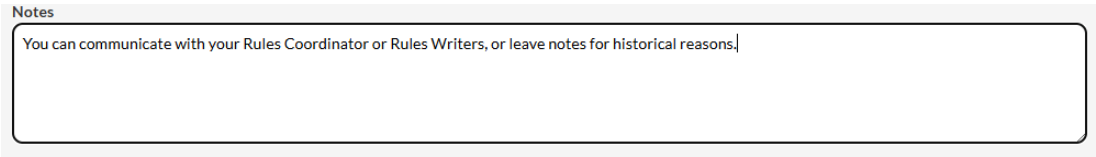
- The **Rule Summary** field is required. Summarize what changes are made to the rule and why. This helps people understand what happened and why the rule is being amended. Once you have filled in this required field, it's a good time to SAVE your work by clicking the **Save** button at the bottom of the page.



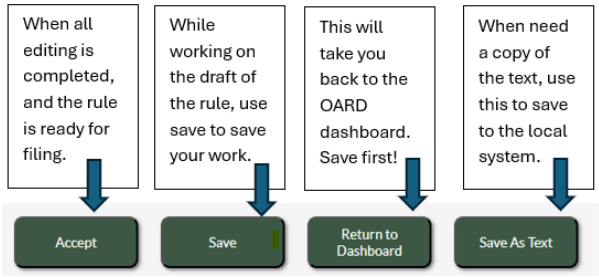
- Click **Yes** or **No** depending on if you have an attachment. This is a required button. If **Yes,** use the attachment section to upload PDFs of charts, images, maps or other content that doesn't go into the rule language. Before an attachment can be uploaded, you must click **Save** before OARD will allow you to choose a file. Click **Choose File** and locate the PDF on your system. Select the PDF, then click the **Upload** button. Click **Save** one more time before selecting the next action.



- The Notes field is for internal notes to be used by the agency and will not be visible to the SOS staff or the public. This is an optional field. You can communicate with your rules coordinators or rules writers or leave notes for historical reasons, etc.



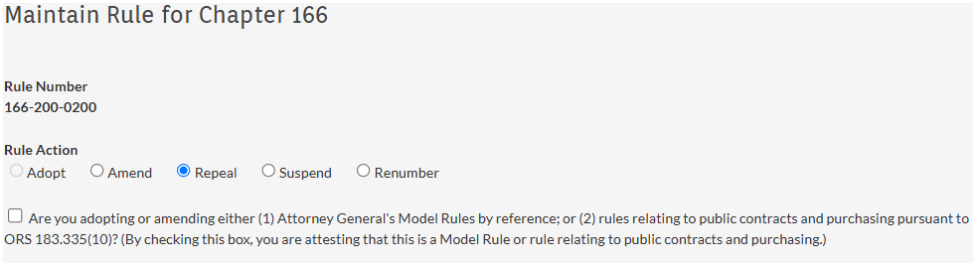
- The buttons at the bottom are similar to those found on most pages:
  - Use **Accept** when the rule is all done and ready to be put on a filing. Only those with the **Accept** status can be added to a filing.
  - Click **Save** to save your work.
  - **Return to Dashboard** returns you to your dashboard.
  - **Save as Text** saves a copy of the text on your local system.



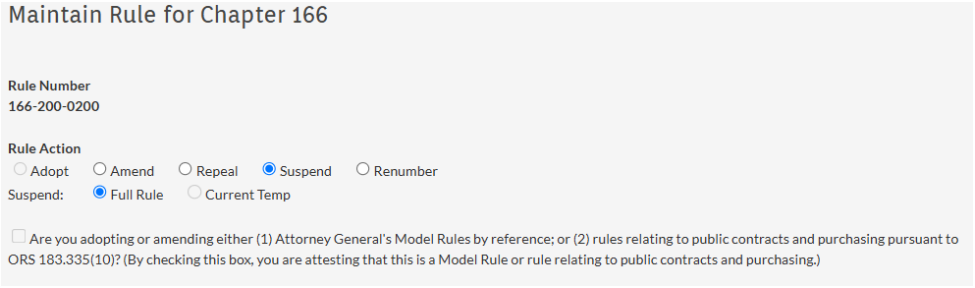
- If you have Rules Writers assigned to this division and you've **Saved** the draft, you may see a button for **Return to** with a drop-down field to the right. You can

send the draft back to a rules writer assigned to this division by selecting their name, then clicking **Return to**.

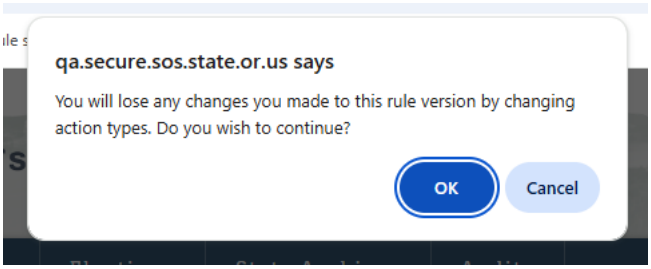
- **Repeal** will not be allow any changes to anything, because when you repeal a rule, an agency is getting rid of everything included in the rule.



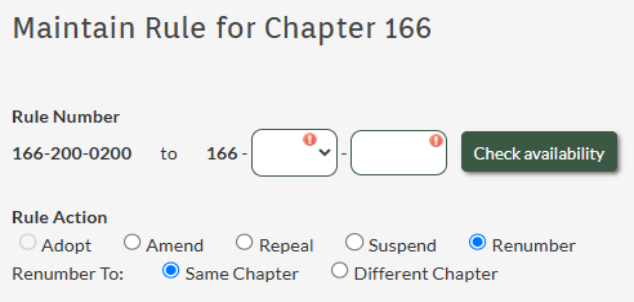
- **Suspend** is similar to repeal in that you are not allowed to change anything. It will ask if you want to suspend the **full rule** or a **current temp** that's already existing. This is for temporary filings. Pick the radio button that makes sense for the filing. If you choose **current temp** that indicates a temporary filing is already in place and suspending it will make the rule language revert back to the last permanent language that was active.



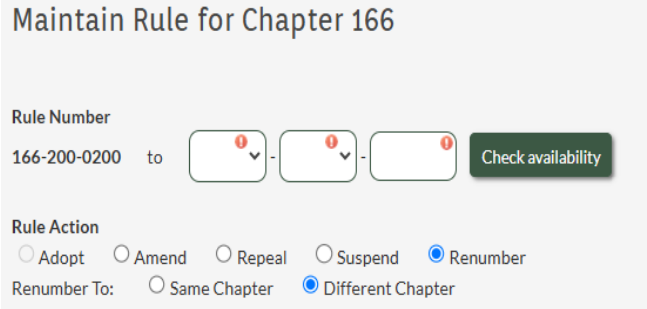
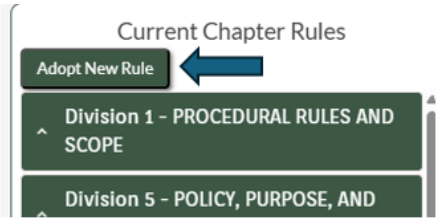
- **Renumber** to change the number of an existing rule to a new rule number. Once you select the option for a renumber you will get a popup informing you that you will loose any changes to the rule text. Renumbering does not allow for any changes to be made to the rule text, title, or statutory references. A rule summary is still required. The below message will display when selecting the renumber option.



- If you are renumbering within the same chapter, select **Same Chapter** and only the division drop-down and the rule number will show, the chapter will be preset for you.



- If you are renumbering to a different chapter, select **Different Chapter** and select the chapter and division that you are renumbering to before entering the new rule number. Use the **Check Availability** button to see if the new number is available.



6. To create a new rule (not change existing), click the **Adopt New Rule** button in the **Current Chapter Rules** queue. The maintain rule page displays, but this time all the fields are blank because you are starting something new. Rule actions are restricted to **Adopt** because you cannot amend, repeal, suspend or renumber a rule that does not exist. You will need to select the division the rule goes in and assign a rule number to the rule. Fill in the remaining fields as you did for the amend, renumber, repeal, or suspend. Fields with exclamation points are required.