



Temporary Rulemaking Overview

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

The Administrative Rules Unit of the Secretary of State Archives Division accepts and reviews administrative rule filings and publishes the administrative rules through the Oregon Administrative Rules Database (OARD).

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

The Department of Justice is part of the Attorney General's Office and has attorneys assigned to each agency to provide legal advice, make recommendations, and provide training regarding rulemaking.

Legislative Counsel reviews administrative rules with regard to constitutionality and scope and intent of enabling legislation.

ORS 183.355(3)(b) requires that an agency "A temporary rule becomes effective upon filing with the Secretary of State, or at a designated later date, only if the statement required by ORS 183.335 (5) is filed with the rule. The agency shall take appropriate measures to make temporary rules known to the persons who may be affected by them."

This includes interested parties, organizations and agencies on the agency's interested party mailing list, as well as others who may be affected.

Rulemaking Steps:

Complete and file a temporary administrative rule filing using the Administrative Rules Unit's on-line filing system, OARD, available on the SOS website:
<http://sos.oregon.gov/archives/Pages/fileonline.aspx>

The printable filing receipt, stamped with the date filed with the Secretary of State's office, is located 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." Corrections not made before publishing day may result in voided filings.**

The filing deadline is the last calendar day of each month at 11:59 p.m.

Accepted filings will be populated to legislative counsel's OARD dashboard by the OARD system per the fulfilling requirements of ORS 183.715(1)

Note: File through the online system available at: https://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx

Go to the Administrative Rules Unit's website at: <https://sos.oregon.gov/archives/Pages/oard-filing-resources.aspx> for rulemaking worksheets, access to OARD and the Oregon Bulletin.

For further inquiries about rule filing or OAR publications, contact the Administrative Rules Unit, Secretary of State, Archives Division, 800 Summer Street NE, Salem, Oregon 97310, adminrules.archives@sos.oregon.gov, or (503) 373-0701 opt. 2.