

Georgia

State Regulatory Processes

Rulemaking Process

A rule may be initiated by the Agency, a statutory mandate, a federal mandate, or an interested person petition proposal. The petition can be denied.

Formulate rule (consider statutory mitigation actions for small business factors and cost reduction standards of the Official Code of Georgia Annotated (O.C.G.A.)) The agency gives at least 30 days notice of rule and hearing. Agency gives at least 30 days notice of proposed rule to

legislative counsel.

The agency holds a hearing, considers comments, including objections of standing committees. The agency may decide not to adopt the rule ending the process. The agency may modify the proposed rule. The agency adopts the rule and, if requested, issues a statement of reasons. The agency files the rule with the Secretary of State. The rule becomes effective after 20 days of filing with the secretary of state unless otherwise provided by law or stayed by legislative standing committees. Subject to override at next session if a standing committee has filed an objection prior to adoption.

Rules and Regulations of the State of Georgia

Emergency Rulemaking

If any agency finds that an imminent peril to the public health, safety, or welfare, including but not limited to, summary processes such as quarantines, contrabands, seizures, and the like authorized by law without notice, requires adoption of a rule upon fewer than 30 days' notice and states in writing its reasons for that finding, it may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable to adopt an emergency rule. Any such rule adopted relative to a public health emergency shall be submitted as promptly as reasonably practicable to the House of Representatives and Senate Committees on Judiciary. The rule may be effective for a period of not longer than 120 days but the adoption of an identical rule under paragraphs (1) and (2) of subsection (a) of this Code section is not precluded; provided, however, that such a rule adopted pursuant to discharge of responsibility under an executive order declaring a state of emergency or disaster exists as a result of a public health emergency, as defined in Code Section 38-3-3, shall be effective for the duration of the emergency or disaster and for a period of not more than 120 days thereafter.

Georgia Register

Georgia Administrative Procedure Act