

## **Rulemaking Process**

### **Three-Stage Process:**

Proposals – Notice Section of Montana Administrative Register (MAR)

Adoptions – Rule Section of Montana Administrative Register (MAR)

Replacement Pages – Administrative Rules of Montana (ARM)

### **Timetable:**

20 days – minimum time between notice and hearing

28 days – minimum time to allow for submission of written comments

30 days – minimum time before proposed rule may be adopted

6 months – maximum time in which proposed rule may be adopted

120 days – emergency rule effective period

## **Administrative Agency**

Submits proposed rule changes to the Secretary of State and the agency's interested parties list

## **Secretary of State**

Reviews format

Publishes proposed rules, amendments, transfers, and repeals in MAR

Submits copies to Legislative Services

## **Montana Administrative Register (MAR)**

Proposed new, amended, transferred, or repealed rules are published in the notice section

Secretary of State publishes and distributes MAR twice monthly

20 days – minimum time between notice and hearing

## **Legislative Services**

rules reviewed by Administrative Rule Review Committee

## **Public Hearing Scheduled**

Public provides written and/or oral testimony

28 days – minimum time to allow for submission of written comments

## **Public Input**

Public submits written data, views or arguments

Hearing may be requested if none was scheduled

30 days – minimum time before proposed rule may be adopted

6 months – maximum time in which proposed rule may be adopted

## **Administrative Agency**

Adopts proposed change 30 days after publication in MAR and within a six-month period

Submits notices of adopted rules, amendments, transfers, or repeals to the Secretary of State

## **Secretary of State**

Reviews format

Publishes notices of adopted rules, amendments, transfers, or repeals in MAR

Submits copies to Legislative Services

rules reviewed by Administrative Rule Review Committee

## **Montana Administrative Register (MAR)**

Adopted rules, amendments, transfers, and repeals are published in the rule section

Rule section includes comments and changes since proposal notice

Rules are effective the day after publication in MAR unless otherwise stated

## **Administrative Agency**

Formats new, amended, transferred, or repealed rules as a replacement page for the Administrative Rules of Montana (ARM)

Submits replacement page(s) to the Secretary of State

## **Secretary of State**

Reviews format of replacement pages

## **Administrative Rules of Montana (ARM)**

Published and distributed by the Secretary of State every quarter

May be reviewed at or purchased from the Secretary of State

Subscriptions to full sets or single titles available

Each county and each unit of the university system maintains one copy

## **Emergency Rulemaking**

An agency may adopt an emergency rule upon fewer than 30 days' notice, effective for a period not longer than 120 days

## **Montana Register**

## **Montana Administrative Procedure Act**