

EMERGENCY RULEMAKING

The emergency **NOTICE** means **BOTH...**

1. Proposed regulatory text showing CCR changes
2. Finding of Emergency (FOE), including...
 - Facts justifying emergency action
 - Necessity for each regulation
 - List of documents relied upon, if any
 - Gov. Code § 11346.5(a)(2)-(6) info.
 - 1 CCR § 48 statement*

5+

Issue notice* at least 5 working-days before submitting the action to OAL

OAL 10-Calendar-Day Review

Submit the action to OAL for 10-calendar-day review with...

1. Form 400, text attached (7 copies)
2. The Notice (Text + FOE)
3. Form 399 (No DOF sig. required)
4. Mailing statement (1 CCR § 50)*
5. Board/Commission approval, if applicable

5-day Public Comment Period*

OAL Review

0

5

[8]

10

[Agency Response to Comments (Optional)]

Original Emergency Text Effective 180 Days

Optional Readopt Actions (Limit 2)

Readopt Action #1 (+90 Days)

Readopt Action #2 (+90 Days)

0

180

(270)

(360)

Work on Regular Action to make emergency regs. permanent (Certificate of Compliance)

*Does not apply to a "super emergency" action (See Gov. Code, § 11346.1(a)(3).)

Administrative Procedures Act Rulemaking Process

A rulemaking agency must transmit a rulemaking action to OAL for review within one year from the date that the notice was published in the California Regulatory Notice Register.

