Standard regulatory process: Guide for state agencies

Stage 1

Notice of Intended Regulatory Action (NOIRA)

Submit NOIRA (Form TH-1) and sync RIS project (if available) for review on Town Hall.

Executive branch review
DPB - 14 day deadline;
If no objection by Cabinet Secretary or Governor within 14 days of DPB review, agency is authorized to submit NOIRA to Registrar

Within 14 days of being authorized, must submit NOIRA to *The Virginia Register of Regulations* via the Town Hall

Ten days before publication in the *Register*:
Automatic email is notification is also sent to registered Town Hall users.

NOIRA is published in the *Register.*
Thirty day public comment period begins & Town Hall comment forum opens.

Comment period/forum closes.
Consider public comment, draft proposed regulation, & submit it within 180 days for executive branch review.

Stage 2

Proposed regulation

Submit regulatory package (Form TH-2 and sync RIS project) for review on Town Hall.

Executive branch review
(In order of review):
-OAG – no deadline;
-DPB (including economic impact analysis (EIA) - 45 day deadline;
-Cabinet Secretary - 14 day deadline;
-Governor – no deadline

Within 14 days of Governor's approval, submit proposed stage to the *Register* via the Town Hall (and paper copies to the Registrar)

Ten days before publication in the *Register*:
Automatic email notification is also sent to registered Town Hall users

Proposed stage is published in the *Register.*

Sixty day public comment period begins and Town Hall public comment forum opens.

Comment period/forum closes.
Consider public comment.
Adopt final regulation no sooner than 15 days after comment period closes & submit for executive branch review no later than 180 days after close of comment period.

Stage 3

Final regulation

Submit regulatory package (Form TH-3 and sync RIS project) for review on Town Hall.

Executive branch review
(in order of review):
--OAG review only necessary if significant changes made since proposed stage – no deadline;
-DPB – 14 day deadline;
-Cabinet Secretary – 14 day deadline;
-Governor – no deadline

Within 14 days of Governor's approval, submit final regulation to the *Register* via the Town Hall (and paper copies to Registrar).

Ten days before publication in the *Register*:
Automatic email notification is also sent to registered town Hall users.

Final stage is published in *Register.*

Thirty day final adoption period begins and Town Hall public comment forum opens.

Final adoption period and public comment closes.

Final regulation becomes effective.
OR it is suspended,
OR, if changes with substantial impact have been made between the proposed and final stages and 25+ and/or Governor petition the agency, an additional public comment period must be held

Produced by the Virginia Department of Planning and Budget's Economic and Regulatory Analysis Division (ERAD) 7/11.
See **townhall.virginia.gov** for more information on rulemaking in Virginia.