

Overview of Regulatory Review Process for the Office of Open Records (OOR)

Proposed Rulemaking

Internal

- Prepare draft regulations
- Submit draft regulations to Legislative Reference Bureau (LRB) for initial formatting
- Provide draft regulations to identified stakeholders

Attorney General/Office of Budget

- Executive summary and regulatory analysis form completed
- Rulemaking packet with cover letter assembled and sent
- Budget will review for fiscal impact and assign a fiscal note
- Attorney General will do initial review for form and legality

Legislative Committees/LRB/ Internal Regulatory Review Commission (IRRC)

- Hand-deliver the rulemaking packet to State Government Committees/LRB and to IRRC on the same day using a transmittal form that is signed by each party
 - o Provide each party with a copy and one additional copy for our records
- LRB requires two (2) hard copies for the Pa. Bulletin and an electronic copy

Public Comment period

- 30-day public comment period begins to run upon date of LRB publication
- Two (2) year final rulemaking deadline time period begins to run
- Track all comments including named and addresses and forward comments to IRRC/State Government Committees within five (5) days of receipt

Final Rulemaking

Internal

- Internally review public comments received and finalize regulations
- Prepare final order and annex forms required by LRB

Legislative Committees/IRRC

- Deliver executive summary and regulatory analysis form to State Government Committees and IRRC
 - o Same format as proposed rulemaking containing cover letters and transmittal sheets

IRRC Public Meeting

- Final rulemaking is placed on IRRC's agenda for the next public meeting
 - o Public meeting held no sooner than 30 days from receipt
- OOR attends public meeting provides introduction/overview and answer questions

AG/Office of Budget

- Final rulemaking review for fiscal impact, form and legality
- AG will give confirmation by returning a copy of the packet with date stamp and approval within thirty (30) days of receipt
- Office of Budget has ten (10) days to provide the fiscal note to the LRB

LRB

- Final approved regulations sent with a cover letter and two (2) hard copies with an electronic copy
- Publication in *Pennsylvania Bulletin* makes regulations final and enforceable