REGULAR RULEMAKING FLOWCHART
(Revised February 12, 2021)

To illustrate an example of the regular rulemaking process functioning in an efficient manner, the staff of the Governor’s Regulatory Review Council (Council) has developed the flowchart below. As the particular circumstances surrounding any potential rulemaking may require changes to this process, please contact Council staff with questions as they arise.

The Agency determines that a rule or rules should be created, amended or repealed.

The Agency works with its Policy Advisor in the Governor’s Office to obtain an approval from Executive Order 2021-02.

Policy Advisor approves or disapproves the request to engage in rulemaking. If disapproved, STOP HERE.

If appropriate, the Agency notifies stakeholders of its intention to enter into a rulemaking and seeks their input. The Agency drafts the proposed rules and an Economic, Small Business, and Consumer Impact Statement (EIS).

The Agency determines if, under A.R.S. 41-1032(A), there is justification for the rules to have an immediate effective date.

The Agency reserves a time and venue for an oral proceeding (to be held at the end of the 30-day public comment period).

The Agency files a Notice of Docket Opening and a Notice of Proposed Rulemaking with the Secretary of State for publication in the Administrative Register.

The Agency fields public comments for at least a 30-day period (beginning on the date that the Notices are published).

At the end of the 30-day public comment period, the Agency holds an oral proceeding and closes the rulemaking record.

Based on feedback, the Agency may make technical corrections and non-substantial amendments.

Agency resubmits amended/corrected proposed rules to the Policy Advisor.

Policy Advisor reviews and approves amended/corrected proposed rules.

Within 120 days of the close of record, Agency submits the EIS, proposed rules, and BOTH (initial in Step #3, and final in Step #8) Governor’s Office approvals electronically to GRRC.

During a separate required 30-day public comment period, Council Staff reviews the proposed rules and EIS. The rules and EIS are publicly considered at an upcoming Study Session and Council Meeting.

The Council votes on the rulemaking and EIS. A ¾ voting majority is required for an immediate effective date. If approved, the Agency files a Notice of Final Rulemaking with the Secretary of State for publication in the Administrative Register.