AGENCY APPROVED RULE FILING

(For Legislative Rules Only)

- ✓ After the conclusion of the public comment period, it's time to prepare the rule for filing with the Legislative Rule-Making Review Committee (LRMRC) or the Legislative Oversight on Education Accountability (LOCEA). The deadline is the last Friday in July, or beginning in 2020 and every 4 years after, the last Friday in August. The Agency Approved filing must be made between the close of the comment period and the close of the business day on the Friday deadline date. Please remember to allow enough time for possible needed corrections.

- ✓ To ensure acceptance of the rule by the end of the business day, the filing should be made no later than 4:30 pm.

- ✓ The rule, comments, and responses to comments are filed in the eRules system. LRMRC or LOCEA will access them from there.

- ✓ All rules, unless exempted, will sunset on August 1 of the applicable year. The requested date will be added to 1.5. and underlined, for example:
  1.5. Sunset Provision -- This rule will terminate and have no further force or effect on August 1, ~~2025~~ 2035.

- ✓ If it is an amendment to an existing rule, the filing will contain strike-throughs and underlines including those made as a result of comments. If it is a new rule, the changes will be made and the entire rule will be underlined. Explanation of the changes will be made in the responses to the comments as well as on the attached form.

- ✓ Keep in mind that if you received comments, you will be doing two filings – 1 filing is the rule and the 2nd is the comments and responses document. Both must be submitted separately. If you did not receive any comments, you will mark this on the attached form with the rule.

✓ The rule must be submitted in Word. The comments and responses document can be submitted in PDF.

✓ This filing is required for all proposed Legislative rules and is completely separate from any emergency filings. The emergency filing sits in place while the Legislative rule goes through the process.

PROCESS FOR FILING THE RULE

1. Log in to your eRules account.
2. Go to "Your Agencies (In-Progress) Rules" and click on "Edit/Upload/View".
3. Find the correct rule file and click on "Edit/Upload/View". This opens the "Documents" page.
4. Go to the "Agency Approved" field, click on "Upload File" and choose "Browse". Find the rule to be submitted from where you have saved it on your computer and upload it in either Word or WordPerfect.
5. Go to the rule that was just uploaded and click on "View".
6. The "Actions" bar will be displayed. Click on "Attach Form".
7. There will only be 1 form in the "Select Form Type" drop down.
8. Select the form and click on "Attach Form" to begin.
9. Fill out the form completely.
10. When completed, be sure to click the box marked "Attach Form" to add it to the rule filing.
11. After attaching the form, click on "Return to Document" to complete the filing.
12. Once the filing is complete and accurate, click on "Submit to Agency Head" located on "Actions" bar where forms are attached.
13. Be sure to follow up with the agency head to ensure that action is taken.
14. The agency head will log into eRules, review the filing and click on "Submit to SOS".

PROCESS FOR FILING COMMENTS, RESPONSES, AND HEARING INFO.

1. This is an additional filing to the rule if the agency received comments or had a public hearing.
2. The copies of comments received and the agency response to the comments should be put together and filed as 1 pdf document. If there was a hearing, the transcript.
3. Similar comments can be grouped together with the response from the agency.
4. All of the same steps listed above will be followed with a couple of differences:
    a. The document will be uploaded to the "Comments Received" field.
    b. The document can be a pdf file.

<u>CHECKING A RULE OUT FOR CORRECTIONS</u>

If corrections need to be made to the rule either before it is submitted or if it gets rejected by the Agency Head or the Secretary of State's office, the rule can be checked out. This process allows the form to remain in place with no need to fill it out again.

1. Log in to eRules and find the rule.
2. Click on "Edit/Upload/View".
3. Find the correct file on the "Documents" page and click on "View".
4. This will display the "Actions" bar. Click on "Check Out".
    a. Right click where indicated and use "save target as", name it and save.
    b. The previous screen returns. Select "confirm check out".
5. When all work is done, go back to the "Actions" bar.
6. Click on "Check In".
    a. Click on "Browse".
    b. Find the corrected rule and upload.
7. You can now "Submit to Agency Head", and from agency head "Submit to SOS".