

RULE
Office of the Governor
Division of Administration
Office of the State Register

2003#070

David J. Truax
Director

Rulemaking Petitions (LAC 1:I.111 and 113)

In accordance with the Administrative Procedure Act, R.S. 49:950, et seq., specifically R.S. 49:953(C)(1), the Office of the Governor, Division of Administration, Office of the State Register has adopted a rule outlining the process for considering rulemaking petitions. This Rule is hereby adopted on the day of promulgation.

Title 1

ADMINISTRATIVE LAW

Part I. Office of the State Register

Chapter 1. Preliminary Provisions

§111. Submission of a Rulemaking Petition

A. In accordance with R.S. 49:953(C)(1), any interested person may petition an agency to adopt a new rule, or to amend or repeal an existing rule.

B. To petition an agency within the Division of Administration for changes to the agency's current rules, or for the adoption of new rules within the agency's purview, an interested person shall submit a written petition to the Division of Administration, Office of the Commissioner. The petition shall include:

1. the petitioner's name and address;
2. the name of the promulgating agency for the rule in question;
3. specific text or a description of the proposed language desired for the adoption or amendment of a rule, or the specific rule and language identified for repeal;
4. justification for the proposed action; and
5. the petitioner's signature.

C. The rulemaking petition shall be submitted by certified mail and addressed to:

Office of the Commissioner, Division of Administration
Re: Rulemaking Petition
P.O. Box 94095, Capital Station
Baton Rouge, LA 70804-9095

AUTHORITY NOTE: Promulgated in accordance with 49:954.1.and 49:953, et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of the State Register LR 46:000 (March 2020).

§113. Consideration of a Rulemaking Petition

A. Upon receipt, a rulemaking petition shall be forwarded to the promulgating agency for review.

B. Within 90 days of receipt of the rulemaking petition, the agency shall either:

1. initiate rulemaking procedures to adopt a new rule, or to amend or repeal an existing rule; or
2. notify the petitioner in writing of the denial to proceed with rulemaking, stating the reason(s) therefore.

AUTHORITY NOTE: Promulgated in accordance with 49:954.1.and 49:953, et seq.

HISTORICAL NOTE: Promulgated by the Office of the Governor, Division of Administration, Office of the State Register LR 46:000 (March 2020).