

ORSP Rulemaking Process and Timeline - Proposed
as of September 2016 Updates/Opens in Red

Responsible Party	Activity In Support of Rulemaking	On or By	Notes
ORSP Staff	First draft of ORSP proposed Permanent Rule	7/26/2016	RAC to consider and comment in August and September
ORSP RAC	First introductory teleconference	8/3/2016	Initial info and questions on the committee
ORSP RAC	Second introductory teleconference	8/9/2016	Initial info and questions on the committee
ORSP RAC	First meeting to consider proposed Permanent Rule	8/11/2016	Confirmed
US DOL	Publication of Final Rules - SARP Safe Harbor	8/25/2016	https://www.dol.gov/sites/default/files/ebsa/temporary-postings/savings-arrangements-final-rule.pdf
ORSP RAC	Second meeting to consider proposed Permanent Rule	9/16/2016	Confirmed
ORSP Board	Preview and discuss proposed Permanent Rule and items in notice	9/20/2016	
ORSP Staff	First revision of proposed Permanent Rule, if appropriate, and draft of all items included in notice under "Checklist for Permanent Rulemaking"	10/4/2016	"Checklist for Permanent Rulemaking" notice includes: <ul style="list-style-type: none"> a. Date, Time, Place of Hearing b. Subject of rulemaking c. Summary of rule and its purpose d. Statutory authority e. Statute or law the rule intended to implement f. Statement of need g. Documents relied upon h. Fiscal impact statement i. Mitigation of negative economic impact on business
ORSP RAC	Third meeting to consider proposed Permanent Rule and items in notice	10/11/2016	Confirmed
ORSP Board	Review and approve draft of Permanent Rule and items in notice	10/18/2016	Proposed board meeting
ORSP Staff	Notice given to Legislators	10/18/2016	49 days notice to "specified legislators," see ORS 183.335(15). (Legislator who introduced the bill; chair and co-chair of all committees that reported the bill out)
ORSP Staff	Notice given to agency mailing list	10/18/2016	28 days notice to effective date of Rule
ORSP Staff	Public notice per agency rules	10/18/2016	List of recipients contained in 170-001-0000
ORSP Staff	Secretary of State Bulletin - submission	11/15/2016	15 days in advance of publication
ORSP Board	<i>FYI Only - Scheduled Board Meeting</i>	11/16/2016	<i>Proposed board meeting</i>
ORSP Staff	Secretary of State Bulletin - publication	12/1/2016	21 days notice to effective date of Rule
ORSP Board	<i>FYI Only - Scheduled Board Meeting</i>	12/6/2016	<i>Proposed board meeting</i>
ORSP Staff	Public Hearing and acceptance of written comments	12/15/2016	14 days after rule is published in the Bulletin; 7 days before rule takes effect
ORSP Staff	Consider public comments and revise rule, if appropriate	1/9/2017	Roughly three weeks to consider comments and revise
ORSP Board	Review and approve final draft of Permanent Rule	Date TBD	Proposed board meeting in January 2017
ORSP Staff	Finalize rule and submit Permanent Administrative Rule filing using SOS online filing system	1/18/2017	"T" - all dates plus/minus in accordance with Oregon Law

PERMANENT Administrative Rule

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Responsible Party	Activity In Support of Rulemaking	On or By	Notes
ORSP Staff	File a paper copy of the Certificate and Order for Filing Permanent Administrative Rules with Legislative Counsel	1/27/2017	Within 10 days after submitting Permanent Administrative Rule filing with Administrative Rules Unit
	Permanent Administrative Rule takes effect	1/27/2017	
Plan Services Provider	Review and comment on Permanent Rule	1/20/2017	Proposed date pending completion of contract with Plan Services Provider
ORSP Staff	First draft of Temporary Rule and draft of all items included under "Checklist for Temporary Rulemaking"	2/15/2017	"Checklist for Temporary Rulemaking" includes: <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> Rule of Need and Justification statutory authority Need relied upon </div> <div style="width: 15%;"> a. b. Statement c. Citation to d. Statement of e. Documents </div> </div>
ORSP Board	<i>FYI Only - Scheduled Board Meeting</i>	Date TBD	<i>Proposed board meeting in February 2017</i>
ORSP RAC	Meeting to consider proposed Temporary Rule and items from "Checklist"	2/22/2017	Proposed RAC meeting date
ORSP Staff	Final revision of proposed Temporary Rule and revision of items from "Checklist", if appropriate	3/3/2017	
ORSP Board	Review and approve final draft of Temporary Rule and items from "Checklist"	Date TBD	Proposed board meeting in March 2017
ORSP Staff	Finalize rule and submit Temporary Administrative Rule filing using SOS online filing system including Temporary Certificate, Statement of Need and Justification, and rule text	3/20/2017	"T" - all dates plus/minus in accordance with Oregon Law
ORSP Staff	File a paper copy of the Certificate and Order for Filing Temporary Administrative Rules and rule text with Legislative Counsel	3/29/2017	Within 10 days after submitting Temporary Administrative Rule filing with Administrative Rules Unit
	Temporary Administrative Rule takes effect	3/29/2017	

TEMPORARY Administrative Rule

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Responsible Party	Activity In Support of Rulemaking	On or By	Notes
PERMANENT Administrative Rule		3/29/2017 - 9/25/17	<i>* Permanent Rule to follow Amended Temporary Rule within 180 days per statute.</i>
	Elements of the Rule:		
	Statutory requirements in the ORS		ORS 178.215(1)-(9)
	Safe harbor in the DOL rule		2510.3-2(h)(1)(i) - (xii)
	OST administrative requirements		Notice of rulemaking and model rules of procedure
			Executive Director definition