Standard regulatory process: Guide for state agencies

**Stage 1: Notice of Intended Regulatory Action (NOIRA)**

- Submit NOIRA (Form TH-1) and sync RIS project (if available) for review on Town Hall.

**Executive branch review**
- DPB - 14 day deadline;
- Cabinet Secretary – sometimes must review; if so, 14 day deadline;
- Governor – no deadline

- Within 14 days of being authorized, must submit NOIRA to The Virginia Register of Regulations via the Town Hall

- Ten days before publication in the Register: Automatic email notification is also sent to registered Town Hall users.

- NOIRA is published in the Register. Thirty day public comment period begins & Town Hall comment forum opens.

- Comment period/forum closes. Consider public comment, draft proposed regulation, & submit it within 180 days for executive branch review.

**Stage 2: Proposed regulation**

- Submit regulatory package (Form TH-2 and sync RIS project) for review on Town Hall.

**Executive branch review** (In order of review):
- OAG – no deadline;
- DPB (including economic impact analysis (EIA)) - 45 day deadline;
- Cabinet Secretary - 14 day deadline;
- Governor – no deadline

- Within 14 days of Governor’s approval, submit proposed stage to the Register via the Town Hall (and paper copies to the Registrar)

- Ten days before publication in the Register: Automatic email notification is also sent to registered Town Hall users.

- Proposed stage is published in the Register.

- Sixty day public comment period begins and Town Hall public comment forum opens.

- Comment period/forum closes. Consider public comment. Adopt final regulation no sooner than 15 days after comment period closes & submit for executive branch review no later than 180 days after close of comment period.

**Stage 3: Final regulation**

- Submit regulatory package (Form TH-3 and sync RIS project) for review on Town Hall.

**Executive branch review** (In order of review):
- OAG review only necessary if significant changes made since proposed stage – no deadline;
- DPB – 14 day deadline;
- Cabinet Secretary – 14 day deadline;
- Governor – no deadline

- Within 14 days of Governor’s approval, submit final regulation to the Register via the Town Hall (and paper copies to Registrar).

- Ten days before publication in the Register: Automatic email notification is also sent to registered town Hall users.

- Final stage is published in Register.

- Thirty day final adoption period begins and Town Hall public comment forum opens.

- Final adoption period and public comment closes.

- Final regulation becomes effective.

OR it is suspended,
OR, if changes with substantial impact have been made between the proposed and final stages and 25+ and/or Governor petition the agency, an additional public comment period must be held.

Produced by the Virginia Department of Planning and Budget’s Economic and Regulatory Analysis Division (ERAD) 10/14. See townhall.virginia.gov for more information on rulemaking in Virginia.