

# STATE OF NEW YORK

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9643

## IN ASSEMBLY

January 30, 2018

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Introduced by M. of A. WALLACE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state administrative procedure act, in relation to increasing the revised rule public comment period from thirty days to forty-five days

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (a) of subdivision 4-a of section 202 of the  
2 state administrative procedure act, as amended by chapter 396 of the  
3 laws of 1993, is amended to read as follows:

4 (a) Except with respect to any rule defined in subparagraph (ii) of  
5 paragraph (a) of subdivision two of section one hundred two of this  
6 chapter, prior to the adoption of a rule, an agency shall submit a  
7 notice of revised rule making to the secretary of state for publication  
8 in the state register for any proposed rule which contains a substantial  
9 revision. The public shall be afforded an opportunity to submit comments  
10 on the revised text of a proposed rule. Unless a different time is specified in statute, the notice of revised rule making must appear in the  
11 state register at least [~~thirty~~] forty-five days prior to the adoption  
12 of the rule. The notice of revised rule making shall indicate the last  
13 date for submission of comments on the revised text of the proposed  
14 rule, which, unless a different time is specified in statute, shall be  
15 not less than [~~thirty~~] forty-five days after the date of publication of  
16 such notice.  
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18 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [~~-~~] is old law to be omitted.

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