

Regulation-Making Notice to Committees of Cognizance

Changes effective October 1, 2014

Compiled by the Office of the Secretary of the State

Disclaimer: This document is an informational guide only and does not constitute legal advice. Agencies are responsible for complying with all applicable laws. Please consult with your agency's legal counsel if you need assistance.

Notice Trigger and Statute	Notice to General Assembly Committee(s) of Cognizance	Notice to Additional Entities	Exceptions
Failure to Meet Notice of Intent Posting Deadline Sec. 4-168(c)	When an agency misses a specified deadline to post notice of intent to adopt a regulation, it must send an "electronic statement" of its reasons for failing to meet the deadline to the committee having cognizance of the subject matter of the regulation. ¹ <i>The eRegulations System will NOT automatically email the notice to the Committee because no case will have yet been created in the eRegulations System.</i> Special Posting Requirement After certification of the eRegulations System by the Secretary of the State, agencies must also post the statement on the eRegulations System. The System does not currently support this type of posting.	The agency must simultaneously send the electronic statement to the (1) Governor (2) Legislative Regulation Review Committee (LRRC) <i>The eRegulations System will NOT automatically email the notice to the Governor and LRRC because no case will have yet been created in the eRegulations System.</i>	
Notice of Intent Posting Sec. 4-168(a)(3)	Upon posting Notice of Intent to adopt a regulation, an agency must give notice electronically to each committee having cognizance of the subject matter of the proposed regulation. <i>The eRegulations System will automatically email a notice to the committees of cognizance you have specified in the regulation's ICM case record.</i>		(1) Emergency regulations and (2) Technical amendment regulations

¹ This requirement applies only when notice of intent is not posted within five months after the effective date of a public act requiring adoption of the regulation or by the time specified in the public act, if different.

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<p>Potential Adverse Impact on Small Businesses</p> <p>Sec. 4-168a(c)</p>	<p>Before adopting a proposed regulation that may have a negative impact on small businesses, an agency must give notice to the Commerce Committee of its intent to adopt the regulation.</p> <p><i>If you included the Commerce Committee as a committee of cognizance in the proposed regulation's ICM case record, the eRegulations System will automatically email a notice to the Commerce Committee when your Notice of Intent is posted.</i></p> <p><i>If you did not include the Commerce Committee in your committees of cognizance list, the System will NOT send notice to the Committee for you.</i></p>	<p>The agency must also notify the</p> <ul style="list-style-type: none"> • Department of Economic and Community Development (DECD) <p><i>The eRegulations System will NOT send notice to DECD for you.</i></p>	<ol style="list-style-type: none"> (1) Emergency regulations (2) Regulations that do not affect small businesses directly, including, but not limited to regulations concerning the administration of federal programs (3) Regulations concerning costs and standards for service businesses such as nursing homes, long-term care facilities, medical care providers, day care facilities, water companies, nonprofit 501(c)(3) agencies, group homes and residential care facilities (4) Regulations adopted to implement the provisions of CGS sections 4a-60g to 4a-60i, inclusive. (The Dept. of Administrative Services' small business set-aside program.)
<p>Submission of Proposed Regulation to the Legislative Regulation Review Committee (LRRC)</p> <p>Sec. 4-170(b)(5)</p>	<p>Upon submitting a proposed regulation to the LRRC, an agency must give notice to each committee having cognizance of the subject matter of the proposed regulation by submitting electronic copies of the following:</p> <ol style="list-style-type: none"> (1) the proposed regulation (2) its fiscal note <p><i>The eRegulations System will submit this notification for you.</i></p>	<p>The agency must simultaneously send the notice to the General Assembly's</p> <ul style="list-style-type: none"> • Office of Fiscal Analysis (OFA) <p><i>The eRegulations System will submit this notification for you.</i></p>	<p>Emergency regulations</p>