

SENATE BILL 261

P3

3lr0910
CF HB 16

By: **Senators Young, Garagiola, Kittleman, and Montgomery**

Introduced and read first time: January 18, 2013

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Administrative Procedure Act – Effective Date of**
3 **Adopted Regulations**

4 FOR the purpose of altering the effective date of certain regulations adopted under the
5 Administrative Procedure Act; and generally relating to regulations adopted
6 under the Administrative Procedure Act.

7 BY repealing and reenacting, with amendments,
8 Article – State Government
9 Section 10–117
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2012 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – State Government**

15 10–117.

16 (a) (1) Except as otherwise provided in subsection (b) of this section or in
17 other law, the effective date of a regulation is:

18 (I) **JANUARY 1 IF THE NOTICE OF ADOPTION IS PUBLISHED**
19 **IN THE REGISTER DURING THE PERIOD FROM SEPTEMBER 1 THROUGH**
20 **NOVEMBER 30, BOTH INCLUSIVE;**

21 (II) **APRIL 1 IF THE NOTICE OF ADOPTION IS PUBLISHED IN**
22 **THE REGISTER DURING THE PERIOD FROM DECEMBER 1 THROUGH FEBRUARY**
23 **29, BOTH INCLUSIVE;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(III) JULY 1 IF THE NOTICE OF ADOPTION IS PUBLISHED IN**
2 **THE REGISTER DURING THE PERIOD FROM MARCH 1 THROUGH MAY 31, BOTH**
3 **INCLUSIVE;**

4 **(IV) OCTOBER 1 IF THE NOTICE OF ADOPTION IS PUBLISHED**
5 **IN THE REGISTER DURING THE PERIOD FROM JUNE 1 THROUGH AUGUST 31,**
6 **BOTH INCLUSIVE;**

7 **[(i)] (v)** the 10th calendar day after notice of adoption is
8 published in the Register **IF THE UNIT IS REQUIRED TO ADOPT THE PROPOSED**
9 **REGULATION BY FEDERAL LAW; or**

10 **[(ii)] (VI)** a later date that the notice sets.

11 (2) For calculation of the effective date under this subsection:

12 (i) Article 1, § 36 of the Code does not apply;

13 (ii) the issue date of the Register in which the notice is
14 published is not counted; and

15 (iii) each other calendar day, including Saturdays, Sundays, and
16 legal holidays, is counted.

17 (b) The effective date of a regulation after its emergency adoption is the date
18 that the Committee sets.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2013.