

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to standardize public participation guidelines for executive branch agencies.*3
4 Approved

[S 734]

5
6 **Be it enacted by the General Assembly of Virginia:**7 **1.** § 1. *That on or before July 1, 2008, the Department of Planning and Budget, in consultation with the*
8 *Office of the Attorney General, shall (i) develop model public participation guidelines meeting the*
9 *requirements of § 2.2-4007.02 of the Code of Virginia and (ii) provide these model public participation*
10 *guidelines to each agency that has the authority to promulgate regulations. By December 1, 2008, each*
11 *agency shall either (a) adopt the model public participation guidelines or (b) if significant additions or*
12 *changes are proposed, promulgate the model public participation guidelines with the proposed changes*
13 *as fast-track regulations pursuant to § 2.2-4012.1 of the Code of Virginia. Agency action in adopting the*
14 *model public participation guidelines in accordance with clause (a) shall be exempt from the operation*
15 *of Article 2 (§ 2.2-4006 et seq.) of Chapter 40 of Title 2.2 of the Code of Virginia. The repeal of any*
16 *existing public participation guidelines shall occur in the same regulatory action as the promulgation of*
17 *the model public participation guidelines required by this section.*18 § 2. *The model public participation guidelines adopted pursuant to this act shall apply to the*
19 *promulgation and adoption of regulations for which a notice of intended regulatory action is filed in*
20 *accordance with § 2.2-4007.01 of the Code of Virginia on or after January 1, 2009.*21 § 3. *However, any amendments made after January 1, 2009, to an agency's public participation*
22 *guidelines adopted as required by this act shall be subject to the requirements of the Administrative*
23 *Process Act (§ 2.2-4000 et seq.) of the Code of Virginia.*24 § 4. *For the purposes of this act, the terms "agency" and "regulations" mean the same as those*
25 *terms are defined in § 2.2-4001 of the Code of Virginia.*

ENROLLED

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