

## CHAPTER 262

AN ACT concerning the Internet publication of a State rule-making database, and supplementing P.L.1968, c.410 (C.52:14B-1 et seq.).

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

C.52:14B-7.1 OAL to establish, maintain Internet publication of a State rule-making database.

1. a. The Office of Administrative Law shall establish and maintain, at a publicly accessible location on its Internet website, a searchable database that identifies the number, nature, and current status of all pending or proposed rule-making actions in the State. The database shall include written descriptions and listings of all such pending or proposed State rule-making actions, and shall additionally incorporate the use of charts, tables, graphs, and other graphics or visual aids, as necessary or appropriate, to provide members of the public with a full, complete, and easily comprehensible overview of pending or proposed rule-making actions in the State.

b. (1) The database established and maintained pursuant to subsection a. of this section shall include, with respect to each proposed rule-making action, a summary description that indicates:

- (a) the title or subject matter of the rule-making action;
- (b) the State agency responsible for the rule-making action;
- (c) the identification number, if any, that is associated with the rule-making action;
- (d) the types or groups of persons who are the subject of, or who will, or are likely to be, affected by, the rule-making action;
- (e) the legal authority for the rule-making action;
- (f) the date on which the rule-making action was initiated by the State agency;
- (g) the legal deadline, if any, that is associated with the rule-making action;
- (h) a concise abstract or synopsis describing the basis for, and pertinent factors necessitating, the rule-making action; and
- (i) a timetable showing the history of the rule-making action.

(2) The summary description required by this subsection shall additionally include a brief statement that identifies the potential impacts of the rule-making action on the State and its residents, and the anticipated significance of those impacts. At a minimum, this statement shall indicate:

(a) the type and potential significance of any expected socio-economic impacts associated with the rule-making action, as determined in accordance with the provisions of paragraph (2) of subsection (a) of section 4 of P.L.1968, c.410 (C.52:14B-4);

(b) the number of jobs that will, or are likely to, be generated or lost as a result of the rule-making action, as determined in accordance with the provisions of paragraph (2) of subsection (a) of section 4 of P.L.1968, c.410 (C.52:14B-4);

(c) the type and significance of any expected agricultural industry impacts associated with the rule-making action, as determined in accordance with the provisions of section 7 of P.L.1998, c.48 (C.4:1C-10.3) and paragraph (2) of subsection (a) of section 4 of P.L.1968, c.410 (C.52:14B-4);

(d) whether the State agency has prepared, or will prepare, a regulatory flexibility analysis in connection with the rule-making action, in accordance with the provisions of P.L.1986, c.169 (C.52:14B-16 et seq.) and paragraph (2) of subsection (a) of section 4 of P.L.1968, c.410 (C.52:14B-4); and

(e) if a regulatory flexibility analysis has been prepared in connection with the rule-making action, the estimated number of small businesses that will, or are likely to, be affected by the rule-making action.

c. Notwithstanding the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.) to the contrary, the Office of Administrative Law may require each State agency to provide the information to be included in the database summary description under subsection b. of this section in association with any notice of proposed rule-making that is submitted by the agency prior to, on, or after, the effective date of this act. The form and manner in which the information will be provided shall be determined by the Office of Administrative Law.

d. The database established and maintained pursuant to subsection a. of this section shall also include distinct listings or graphics that identify the total number of pending rule-making actions by: (1) State agency; (2) rule-making type and stage; and (3) current length, in 30-day intervals, of the State agency review associated therewith, as determined by looking to the date of each rule-making action’s initiation by the State agency.

e. The Office of Administrative Law shall make regular and timely updates to the database established pursuant to subsection a. of this section to ensure that it reflects the most current information pertaining to rule-making actions undertaken by each State agency. The Office of Administrative Law shall indicate, on its Internet website, the date on which the most recent database update was performed pursuant to this subsection.

2. This act shall take effect immediately, but shall remain inoperative until the first day of the 13th month following the date of its enactment.

Approved January 8, 2018.