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EMERGENCY RULE PROCEDURES

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Chapter 30. Emergency Rule Procedures

Rule No. 560-X-30-.01. Emergency Rule Procedures.

(1) The Commissioner, upon an express finding or determination that there exists an immediate danger to the public health, safety, or welfare, requires adoption of a rule upon fewer than 35 days' notice or that action is required by or to comply with a federal statute or regulation which requires adoption of a rule upon fewer than 35 days' notice and states in writing his reasons for that finding may proceed without prior notice or hearing to adopt an emergency rule.

(2) An Emergency Rule may be effective for up to 120 days. The Emergency Rule shall state its effective dates, both beginning and ending.

Authority: Code of Alabama Section 41-22-5. Rule effective October 1, 1982.

Rule No. 560-X-30-.02. Permanent Rule After Emergency Rule.

During the period that an Emergency Rule is in effect the Agency shall give notice of and promulgate a permanent rule to replace the Emergency Rule, unless the Emergency Rule is one designed to fill a specific need or to solve a specific problem and that need or problem is not expected to reoccur.

Authority: Code of Alabama Section 41-22-5(b). Rule effective October 1, 1982.