

**CHAPTER 315. EXISTING REGULATIONS AND
UNPUBLISHED DOCUMENTS**

- Sec.
315.1. Review of an existing regulation.
315.2. Review of an unpublished document.

Authority

The provisions of this Chapter 315 issued under section 11(a) of the Regulatory Review Act (71 P. S. § 745.11(a)), unless otherwise noted.

Source

The provisions of this Chapter 315 adopted July 2, 1999, effective July 3, 1999, 29 Pa.B. 3349, unless otherwise noted.

§ 315.1. Review of an existing regulation.

(a) The Commission, on its own motion or at the request of any person or member of the General Assembly, may review an existing regulation which has been in effect for at least 3 years, under section 8.1 of the act (71 P. S. § 745.8a). If a committee of the Senate or House of Representatives requests the review, the Commission will assign it high priority.

(b) Upon delivery of a request to review an existing regulation, the Commission will initiate a preliminary review to determine whether further investigation is warranted.

(c) If the Commission determines that an investigation is not warranted, the matter will be closed. The Commission will notify the person or entity requesting the review of the existing regulation that no further action will be taken.

(d) If it is determined that an investigation is warranted, the Commission will notify the agency of the issues that have been raised and request a written response.

(e) After review of the agency's response and other relevant material, the Commission will issue a report setting forth its findings, conclusions or recommendations.

(f) The Commission will deliver its report to the agency, the committees, the Governor and the Attorney General. The Commission's report may include recommendations for amendment of the statute that provides statutory authority for the regulation.

Source

The provisions of this § 315.1 amended November 2, 2007, effective November 3, 2007, 37 Pa.B. 5886. Immediately preceding text appears at serial page (257293).

§ 315.2. Review of an unpublished document.

If the Commission finds that a published or unpublished document should be promulgated as a regulation, the Commission will present its finding to the Joint

Committee on Documents. The Joint Committee on Documents shall determine whether the document should be promulgated as a regulation, and may order the agency to promulgate the document as a regulation within 180 days, or to desist from using the document in its business.