

**PART III. INDEPENDENT REGULATORY REVIEW
COMMISSION**

Chap.		Sec.
101.	[Reserved]	101.1
201.	[Reserved]	201.1
301.	GENERAL PROVISIONS	301.1
303.	MEETINGS OF THE COMMISSION	303.1
305.	PROCEDURES FOR DELIVERY AND REVIEW OF PROPOSED REGULATIONS	305.1
307.	PROCEDURES FOR DELIVERY AND REVIEW OF FINAL REGULATIONS	307.1
309.	ACTION ON REGULATIONS	309.1
311.	PROCEDURES FOR REVIEW OF DISAPPROVED FINAL REGULATIONS	311.1
311a.	DELIVERY OF REGULATIONS, COMMENTS, REPORTS AND ORDERS BEFORE AND AFTER THE END OF THE LEGISLATIVE SESSION	311a.1
313.	EMERGENCY CERTIFIED REGULATIONS	313.1
315.	EXISTING REGULATIONS AND PUBLISHED OR UNPUBLISHED DOCUMENTS	315.1

Notes of Decisions

If a department that promulgated a regulation or the Independent Regulatory Review Commission refuses to review a regulation that is potentially in conflict with a statute, this suggests that redress through a channel other than the court is futile. Therefore, judicial scrutiny is required to ensure that the regulation conforms to the law under which it was promulgated. *Keith v. Com. Ex rel. Pennsylvania Dept. of Agriculture*, 116 A.3d 756 (2015).

The Independent Regulatory Review Commission’s function to review proposed regulations is quasi-administrative or quasi-legislative, but it is not an adjudicatory body. Thus, its approval of a regulation is not an adjudication by an administrative agency. *Concerned Citizens of Chestnuthill Township v. Department of Environmental Resources*, 632 A.2d 1 (Pa. Cmwlth. 1993); appeal denied 642 A.2d 488 (Pa. 1994).

CHAPTER 101. [Reserved]

Source

The provisions of this Chapter 101 adopted October 3, 1986, effective October 4, 1986, 16 Pa.B. 3689; reserved July 2, 1999, effective July 3, 1999, 29 Pa.B. 3349. Immediately preceding text appears at serial pages (189025) to (189026), (113513) to (113516) and (189027).

§§ 101.1—101.11. [Reserved].

[Next page is 201-1.]

101-2

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