

**This is an amendment to 1.24.15 NMAC, Sections 3, 8, 9 and 13, effective 7/1/2017.**

These changes are to align the following rule to the 2017 statutory amendments to the State Rules Act, Section 14-4-1 et seq.

**1.24.15.3 STATUTORY AUTHORITY:** Subsection E of Section 14-4-7.1 NMSA 1978 directs the state records administrator to adopt and promulgate rules necessary for the implementation and administration of the New Mexico register.

[1.24.15.3 NMAC - Rp 1 NMAC 3.3.15.3, 2/29/2000; A, 7/1/2017]

**1.24.15.8 REQUIREMENTS FOR AGENCIES RELATIVE TO PUBLISHING NOTICES AND RULES IN THE NEW MEXICO REGISTER:**

**A.** Agencies shall publish in the New Mexico register:  
(1) notices of rule-making; and  
(2) adopted rules filed with the administrative law division of the state records center under the State Rules Act, either in full text, short-form publication or in synopsis; synopses shall have prior approval of the state records administrator and such approval shall also be published;

~~(3) emergency rules.~~

**B.** Agencies may publish other materials related to administrative law at their discretion.

**C.** History notes, histories of the part, and amendments to history notes need not be published in the New Mexico register.

[1.24.15.8 NMAC - Rp 1 NMAC 3.3.15.8, 2/29/2000; A, 7/15/2003; A, 9/15/2014; A, 11/30/2015; A, 7/1/2017]

**1.24.15.9 REQUIREMENTS FOR NOTICES:** All notices submitted for filing must conform to the following requirements:

**A.** The content of any notice of proposed rulemaking must have at least the following:  
~~(1) name of agency holding the meeting;~~  
~~(2) where and when the meeting will be held, that includes the address, date and time;~~  
~~(3) where copies of the meeting agenda can be found;~~  
~~(4) where copies of the proposed rules can be found;~~  
~~(5) what accommodations are being made for individuals with disabilities; and~~  
~~(6) if public comment is allowed at the hearing, how and where to submit written or oral comments to the agency.]~~

~~(1) name of agency holding the meeting;~~  
~~(2) a summary of or the actual full text of the proposed rule;~~  
~~(3) a short explanation of the purpose of the proposed rule;~~  
~~(4) a citation to specific legal authority authorizing the proposed rule and the adoption of the proposed rule;~~

~~(5) information on how a copy of full text of proposed rule may be obtained, if full text is not already included within the body of the notice;~~

~~(6) information on how a person may comment on proposed rule, where comments will be received and when comments are due;~~

~~(7) where and when the public rule hearing will be held, that includes the address, date and time and how a person may participate in the hearing;~~

~~(8) a citation to technical information, if any, that serves as a basis for the proposed rule and information on how the full text of the technical information may be obtained, if not already included within the body of the notice;~~

~~(9) an internet link providing free access to the full text of the proposed rule, if full text is not already included within the body of the notice;~~

**B.** The form of any notice must conform to the following:

(1) the notice heading shall be in bold or capital letters and be centered at top of page;

(2) the notice heading shall simply and accurately describe the rulemaking hearing;

(3) the text of the notice shall be flush with the document's left margin; and,

(4) the use of legal, case, or other headings is discouraged.

**C.** ~~[If special or unique circumstances are requested by an agency for deviation from any of the above requirements, the state records administrator has the authority to grant an exception.]~~ The administrative law division, as designation by the state records administrator, shall not accept for publication any notice of proposed

rulemaking that does not on its face meet the statutory 30 day minimum time periods for public rule hearing, public participation and public comments.

[1.24.15.9 NMAC - N, 11/30/2015; A, 7/1/2017]

**1.24.15.13 CHARGES FOR PUBLISHING IN THE NEW MEXICO REGISTER:** There shall be a \$3.00 per column inch charge to agencies publishing material in the New Mexico register. All material shall be published in the New Mexico register shall use Word document Times New Roman, 10-point font.

[1.24.15.12 NMAC - Rp, 1 NMAC 3.3.15.10, 2/29/2000; A, 7/15/2003; A, 7/1/2009; A, 10/15/2014; 1.24.15.13 NMAC - Rn, 1.24.15.12 NMAC, 11/30/2015; A, 1/1/2017; A, 7/1/2017]

[Charges for publishing in the New Mexico register are also found in 1.13.2.18 NMAC.]