

Twenty (20+) Tips and Tricks on Town Hall and Rulemaking For State Agencies (9/27/19)

1. On Town Hall, the term “board” refers to rulemaking entities of all types whether they be an agency head, a board, a council, a commission, or something else.
2. The Virginia Regulatory Town Hall website (Town Hall) and the Regulation Information System (RIS) are integrated with each other; however, they are completely different systems managed by two different offices.
 - The Town Hall is administered by DPB and is focused on executive branch review of regulatory proposals, public comment forums, and an email notification service. DPB asks for action/stage numbers.
 - The RIS is administered by the Registrar’s Office and is where you develop and maintain the proposed text of a regulatory action. The Registrar’s Office is in charge of publishing the *Virginia Register of Regulations* as well as managing the Virginia Administrative Code. The Registrar’s Office looks up projects by RIS project number.
3. Questions regarding exempt actions? By definition, exempt regulations do not undergo executive branch review. Thus, DPB’s knowledge of exempt regulations is sometimes limited. Your best bet is to contact your AAG or the Registrar’s Office at (804) 786-3591.
4. When you’re promulgating a new chapter on Town Hall, be sure to put in brackets under development in the chapter title, e.g., Name of Chapter [under development].
5. When a new chapter in the VAC is fully promulgated and has become effective, be sure to go into Town Hall and delete the [under development] from the chapter title. You must take this action as this is not an automated function.
6. When a regulation has been repealed, it is up to you to go onto Town Hall, edit the chapter title and put [Repealed] before the title of the chapter. This will move the chapter and all its past activity to the list of repealed chapters that can be accessed at the top of the board information page.
7. Remember that a regulatory action is not visible to the public on Town Hall until it is submitted to DPB for review if a non-exempt action, or submitted to the Register if an exempt action.
8. Be sure to indicate all chapters that are affected by an action. You will need to pick one chapter as your primary chapter and list the other chapters as secondary chapters. If you are promulgating a repeal chapter/replace it with a new chapter, be sure to list the new

chapter as the primary chapter and the chapter to be repealed as the secondary chapter. Also remember to put [under development] after the title of what will be the new regulation.

9. Legislative mandates: This feature is very flexible. If multiple chapters will be affected by a mandate, you can indicate this. If multiple actions are necessary to implement a single mandate, you can associate all these actions to the mandate. You can complete a mandate without assigning it an action by entering explanatory text, e.g., “handled administratively.”
10. Implementing Legislate Mandates: Important deadlines to remember.
 - Exempt actions to conform a regulation to Virginia statutory law or the appropriation act where no agency discretion is involved must be submitted to the Register within 90 days of the law’s effective date. Virginia Code Section 2.2-4006(A)(4)(a)
 - If a legislative mandate requires the promulgation of a regulation and the standard rulemaking process is used, the NOIRA must be submitted to the Register within 120 days of the law’s effective date. Virginia Code Section 2.2-4007.01(A)
11. For general notices that include a link, be sure to use the link symbol in the toolbar to create an active link. You cannot simply copy and paste the URL.
12. You can associate a regulatory action with a petition for rulemaking, legislative mandate, or periodic review from the action page or vice versa.
13. When an economic impact analysis is posted, review it, formulate a response, and post it within a few days. Why? Agencies are unable to submit a proposed or fast-track stage to the Registrar without first posting a response to the EIA so take care of it early so you are not scrambling to put it together the day of a publication deadline. Remember if you find a factual error in the EIA to contact the economist so they can correct it before you post your agency response.
14. If you receive a call or an email from someone interested in your agency’s regulations, offer to sign them up on Town Hall right then. All you need is their name and email address. Let them know that they will receive an email and that they must click on the link within the email to activate the account and select what information they would like to receive notifications about.
15. It is possible to follow an emergency/NOIRA with a fast-track regulation as long as the proposal meets the criteria for a fast-track action – that is, it “is not expected to be controversial.”

16. Use ID #s as much as possible to direct DPB and even public users to a specific location on Town Hall. By putting the # in the Search Box in the upper right hand corner of the TH page, it will bring up all events with than # and you can easily click on the correct one.
17. For new regulatory staff. Remember that after the OAG attaches their letter of assurance, you must go back into Town Hall to advance the package to DPB for review (or, if an exempt action, submit it to the Register).
18. If you are a VITA COV network agency, all the user accounts for your agency on Town Hall must be set up using the COV alias. This allows your users to log on to Town Hall using the COV credentials they use every day to access their work email. There is now an easy-to-use tool on Town Hall under manage users that will provide you with an employee's alias.
19. When setting up a new user on Town Hall, be sure to select which board(s) the user will be working with even if there is only one board at your agency. This is often overlooked.
20. Remember that you can change the contact for an action/stage at any time if there is a change at the agency. Do this on the action information page.
21. Meetings: All meeting details can be changed after the fact except one. Once you select and save the scope of a meeting, it cannot be changed so make this decision with care.
22. If you are using a standard rulemaking to conduct a periodic review of a regulation, make sure to: (1) answer "yes" to the question about whether this action will be used to conduct a periodic review when setting up the action on Town Hall, (2) complete the periodic review "Announcement" section in the NOIRA ABD and the periodic review "Report of Findings" section in the Proposed Stage ABD, and (3) answer "yes" to the appropriate periodic review question before you submit the NOIRA and the proposed stage to the Register on Town Hall.

