

PART III. PROPOSAL AND ADOPTION.

10-110. SCOPE OF PART.

THIS PART III OF THIS SUBTITLE APPLIES ONLY TO A UNIT IN THE EXECUTIVE BRANCH OF THE STATE GOVERNMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 256B(c)(1).

The word "only" is added to exclude the units under § 10-102(a)(2) of this subtitle and to reflect the former exception for the "legislative or judicial branches", which now appears in § 10-102(b) of this subtitle.

Defined term: "Unit" § 10-101

10-111. TIME LIMITATION.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A UNIT MAY NOT ADOPT A PROPOSED REGULATION UNTIL AT LEAST 45 DAYS AFTER ITS FIRST PUBLICATION IN THE REGISTER.

(B) EMERGENCY ADOPTIONS.

(1) THE UNIT MAY ADOPT A PROPOSED REGULATION IMMEDIATELY IF THE UNIT:

(I) DECLARES THAT THE EMERGENCY ADOPTION IS NECESSARY;

(II) SUBMITS THE PROPOSED REGULATION TO THE COMMITTEE; AND

(III) HAS THE APPROVAL OF THE COMMITTEE FOR THE EMERGENCY ADOPTION.

(2) (I) SUBJECT TO ~~SUBPARAGRAPH (II)~~ SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE APPROVAL OF THE COMMITTEE MAY BE GIVEN:

1. BY A MAJORITY OF ITS MEMBERS WHO ARE PRESENT AND VOTING AT A PUBLIC HEARING;

2. BY ITS CHAIRMAN;

3. IF ITS CHAIRMAN IS UNAVAILABLE, BY ITS VICE CHAIRMAN; OR

4. JOINTLY BY THE MEMBER OF THE COMMITTEE WHO IS DESIGNATED TO REVIEW THE PROPOSED REGULATION AND BY THE CHAIRMAN OR, IF THE CHAIRMAN IS UNAVAILABLE, THE VICE CHAIRMAN.