

CHILD ABUSE AND NEGLECT PREVENTION BOARD
ADMINISTRATIVE CODECHAPTER 185-X-5
AMENDMENT OF RULES

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185-X-5-.01 Petition For Adoption Of Rules.

(1) Any person who wishes to propose that the Board adopt, repeal, or amend any rule may do so on the form prescribed by the Board.

(2) The Board shall meet and consider any petition for adoption, repeal, or amendment within ninety (90) days of its submission.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-16, 41-4-35, 41-15-9, 41-22-8.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-5-.02 Notice.

(1) The Board shall give at least 35 days notice of any proposed action on any rule by publication in the Alabama Administrative Monthly in compliance with the Alabama Administrative Procedure Act, Section 5(1)(a).

(2) Any person who wishes to receive notice by mail of proposed actions on rules may do so by requesting such notice from the Board and paying the cost of copying and mailing, which cost shall be set from time to time by the executive director.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-16, 41-4-35, 41-15-9, 41-22-8.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-5-.03 Public Hearings.

The Board shall permit all interested persons reasonable opportunity to submit in writing data, views, or arguments concerning any proposed rule action. Data, views, or arguments submitted must be received by the Board at least seven (7) days before the date specified in the notice as the day of the public hearing. Those persons wishing to appear to present data, views or arguments orally must submit a request to appear to the Board, and such request must be received by the Board at least seven (7) days before the scheduled public hearing.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-16, 41-4-35, 41-15-9, 41-22-8.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-5-.04 Board Decision.

The Board shall fully consider all written and oral submissions concerning every proposed rule action. Upon adoption of a rule, the Board, if conflicting views are submitted on the proposed rule, shall issue a statement of the principal reasons for and against its adoption, incorporating therein its reasons for overruling any considerations urged against its adoption.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-16, 41-4-35, 41-15-9, 41-22-8.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-5-.05 Emergency Rules.

In the event the Board finds that an immediate danger to the public health, safety, or welfare requires adoption of a rule upon fewer than 35 days notice or that action is required by or to comply with a federal statute or regulation which requires adoption of a rule fewer than 35 days notice, the Board may adopt an emergency rule under the provisions of the Administrative Procedure Act, Section 5(2).

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-16, 41-4-35, 41-15-9, 41-22-8.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-5-.06 Compliance With Administrative Procedure Act.

All rules adopted by the Board shall otherwise substantively and procedurally comply substantially with the provisions of the Alabama Administrative Procedure Act.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-16, 41-4-35, 41-15-9, 41-22-8.

History: **Emergency rule** filed August 5, 1985. **Permanent rule** filed August 5, 1985.

185-X-5-A

Attachment.

PETITION FOR ADOPTION OF RULE

I. Petitioner

Name: _____

Address: _____

Phone: _____

II. Character of Change

I propose that the Child Abuse and Neglect Prevention Board

A. ☐ adopt the following new rule.

B. ☐ amend Rule _____ as follows.

C. ☐ repeal Rule _____ in total.

III. Text of Proposed Rule

If you checked box "A" above, type the rule you propose in the space below. If you checked box "B" above, type the currently effective rule in the space below, adding any proposed language. Proposed new language should be underlined and proposed deletions should be stricken through. For example, if a rule currently provides that "Board meetings are held on Mondays and Fridays" and you wish to change meeting days to Tuesdays and Fridays, you should type below "Board meetings are held Mondays and Fridays." If you checked box "C" above, skip this and go to Part IV. (Use additional sheets if necessary).

IV. Purpose of Change

Briefly describe what the effect of this change will be and why you believe the change should be made. (Use additional sheets if necessary).

V. Signature

Petitioner

Date

AFFIDAVIT

STATE OF ALABAMA)
(_____)

Before me, _____, a
Notary Public in and for said State and County, personally
appeared, _____, who being made
known to me, and being informed of the contents of this
petition and the statements by him/her therein, and being by me
duly sworn, says such statements are true and correct.

Sworn to and subscribed before me this _____ day
of _____, 19____.

Signature of Notary Public

Author:
Statutory Authority:
History: