

CHILD ABUSE AND NEGLECT PREVENTION BOARD
ADMINISTRATIVE CODECHAPTER 185-X-6
DECLARATORY RULINGS

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185-X-6-.01 Declaratory Rulings.

(1) The Board may issue declaratory rulings to any person substantially affected by a rule with respect to the validity of the rule, or with respect to the applicability to any person, property, or state of facts of any rule or statute enforceable by the Board, or with respect to the meaning and scope of any Order of the Board. Such rulings shall be issued provided:

(a) The petitioner shows that he/she is substantially affected by the rule in question.

(b) Sufficient facts are supplied in the request to permit the Board to make a valid determination.

(c) The request arises from an actual question or controversy.

(2) A request for declaratory ruling must be in writing and must specifically state that it is a "Request for Declaratory Ruling."

(3) Any person who wishes to file a Petition for a Declaratory Ruling shall do so on the form prescribed by the Board.

(4) Such rulings will be made in accordance with the Alabama Administrative Procedure Act, Section 11.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§41-4-35, 41-22-1, 41-22-10.

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

185-X-6-A Attachment.

PETITION FOR DECLARATORY RULING

On Rule No.

1. Petitioner

 Name: _____

 Address: _____

 Telephone: _____

2. All rules or statutes that may be involved in the petition,
if known: _____

3. Clear and concise statement of the precise factual
situation involved: _____

4. The exact question to which an answer is desired: _____

5. The reason for submitting the petition: _____

6. Full disclosure of the petitioner's interest: _____

7. Statement as to whether the petitioner's case is presently
under consideration by the Board or in any pending
proceedings: _____

8. Affidavit Certification

 Signature of Petitioner _____

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

Notary Public

(3) Such rulings will be made in accordance with the Alabama
Administrative Procedure Act, Section 41-22-11, Code of Ala.1975.

Author: Mark N. Chambless

Statutory Authority: Code of Ala. 1975, §§ 34-11-35, 41-22-11.

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