CHAPTER 105

AN ACT HB 4021

Relating to administrative rules; and prescribing an effective date.

Whereas state agencies routinely adopt administrative rules that impose new compliance obligations or expose regulated entities to penalties for noncompliance; and

Whereas under current law, most administrative rules become effective immediately upon filing with the Secretary of State unless a later effective date is specified; and

Whereas the immediate effectiveness of new rules may not provide regulated entities sufficient time to understand, implement and comply with new requirements after they have been finalized; now, therefore,

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 3 of this 2026 Act are added to and made a part of ORS chapter 183.

SECTION 2. (1) This section applies to the following agencies:

(a) The Environmental Quality Commission.

(b) The Oregon Transportation Commission.

(c) The State Land Board.

(d) The Department of State Lands.

(e) The governing board of the State Department of Geology and Mineral Industries.

(2) Notwithstanding ORS 183.355 (3), a permanent rule adopted, amended or repealed by an agency listed in subsection (1) of this section that creates or modifies compliance requirements for persons regulated by the agency may take effect no earlier than 28 days after the date the final rule is filed with the Secretary of State as provided in ORS 183.355.

(3) Notwithstanding ORS 183.335 (1), prior to the adoption, amendment or repeal of a permanent rule, an agency listed in subsection (1) of this section shall give notice of its intended action:

(a) In the manner established by rule adopted by the agency under ORS 183.341 (4), which provides a reasonable opportunity for interested persons to be notified of the agency's proposed action;

(b) In the bulletin referred to in ORS 183.360 at least 21 days prior to the date the rule is filed with the Secretary of State as provided in ORS 183.355;

(c) At least 28 days before the date the rule is filed with the Secretary of State as provided in ORS 183.355, to persons who have requested notice pursuant to ORS 183.335 (8); and

(d) Delivered only by email, at least 49 days before the date the rule is filed with the Secretary of State as provided in ORS 183.355, to the persons specified in ORS 183.335 (15).

(4) This section does not apply to adoption, amendment or suspension of a rule under ORS 183.335 (5).

SECTION 3. The following agencies shall make available on the agency's website contact information for questions about each rule adopted, amended or repealed by the agency:

(1) The Department of Environmental Quality.

(2) The Department of Transportation.

(3) The Department of State Lands.

(4) The State Department of Energy.

(5) The State Department of Geology and Mineral Industries.

SECTION 4. (1) Section 2 (2) of this 2026 Act applies to adoptions, amendments and repeals of rules with an effective date on or after January 1, 2027.

(2) Section 2 (3) of this 2026 Act applies to adoptions, amendments and repeals of rules for which an agency provides notice of intended action on or after the effective date of this 2026 Act.

SECTION 5. This 2026 Act takes effect on the 91st day after the date on which the 2026 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Approved by the Governor April 7, 2026
Filed in the office of Secretary of State April 7, 2026
Effective date June 5, 2026