

Chapter 13 Adding Stages to Standard Regulatory Actions

This chapter contains detailed instructions that are intended for state agency users.

Adding and Managing Stages in a Regulatory Action

After following the steps outlined in the previous chapter, *Creating Regulatory Actions*, you will need to add one or more stages to the action. This chapter provides detailed instructions on how to add stages to standard actions; the next chapter addresses Fast-Track, Emergency, and exempt actions.

Once the appropriate type of action has been determined, use the corresponding instructions below and in the next chapter to add a stage(s) and submit it for further review and publication.

The process for adding a new stage depends on whether you just created a new action or are returning to one you previously created:

- If you just created a new action by following the process in Chapter 12, the Town Hall will automatically take you to the newly created Action Information page where you can add the first stage to your new action.
- As discussed in the instructions below, if you previously created an action you can add a stage by clicking the MY CURRENT ACTIONS link under the Agency Functions dropdown list. This will take you to the Current Actions page that lists your agency's actions, where you can select the correct action.

Before creating another stage to add to an action on the Town Hall, you must ensure any previous stage filed has been published in *Register*.

Note: Some documents can be uploaded in either Microsoft Word or Adobe PDF format. However, other documents, including Agency Background Documents and the Agency Response to an EIA, must be uploaded in Microsoft Word format; they will be converted and displayed in Adobe PDF format. All Agency Background Document templates can be found at <https://townhall.virginia.gov/um/forms.cfm>.

Standard Actions (Consisting of NOIRA, Proposed, and Final stages)

A standard action is the default or typical type of action. It always has at least three stages, and a public comment period begins when each stage is published.

Creating and Submitting a NOIRA Stage for Executive Branch Review

1. To begin, ensure you've selected the correct action:
 - a. If you're already on the Action page, look for the Stages section. From the pull-down menu, select NOIRA and then click the CREATE STAGE button.
 - b. Otherwise, use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action. On the Action page, look for the Stages section. From the pull-down menu, select NOIRA and then click the CREATE STAGE button.

2. On the Edit NOIRA page, ensure all information is correct:
 - a. **Do you intend to hold a public hearing following the publication of the proposed stage?** Indicate whether you intend to hold a public hearing following publication of the Proposed stage (not this NOIRA stage). Consider this matter carefully, because if the answer is YES (and a public hearing will be held), it will be published in the *Register* and you cannot later change your mind. You will need to schedule a public hearing before you can submit the Proposed stage for publication; the public hearing will occur during the 60-day public comment period following publication of the Proposed stage. For more information, see the section below on Submitting a Proposed Stage to the Registrar for publication.
 - b. **Date Governor's Review Needed By (optional):** You may enter a date if the Governor's review is needed before a deadline.
 - c. Click the SAVE button and you will go to the stage page.
2. Next, on the Stage page:
 - a. **Preliminary Draft Text:** Determine if your agency has preliminary text in the Regulation Information System (RIS) that should be published with the NOIRA.
 - i. Note that preliminary text is not required at this stage. *You can submit a NOIRA stage for executive branch review, and to the Registrar for publication, without having an RIS project. However, an RIS project must be created and linked before the Proposed stage can be submitted to the Attorney General's Office for certification.*
 - ii. If you do want to publish preliminary text, click SYNC TEXT WITH RIS. Ensure the correct RIS project is connected to this action because it is very difficult to change this later. If a project for this action has not yet been started in the RIS, you can navigate to the Action page, then click EDIT ACTION. There you can select the option to *CREATE A NEW PROJECT ON THE RIS SYSTEM*. Alternatively, you can log into RIS later to create a project and then sync it to this action.
 - b. **Agency Background Document (ABD):** upload a completed [NOIRA Stage ABD](#), also known as a TH-01 form.
3. Once you are ready, click on the SUBMIT TO DPB button on the Stage page to begin the executive branch review process. At this point the stage becomes visible to the public on the Town Hall and can be found via a search. After DPB's review is complete, the NOIRA is automatically forwarded to the next executive branch reviewer; you will be notified by email after each executive branch reviewer completes their review.

After executive branch review is complete, you can submit the stage to the Registrar's office for publication in the *Register*.

Submitting a NOIRA Stage to the Registrar for Publication

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct stage.
2. On the Stage page, click the SUBMIT TO REGISTRAR button and enter the appropriate information:
 - a. **The Virginia Register:** The Town Hall will retrieve publication information for the next available issue of the *Register*. If you wish to choose a later publication date, you can use the dropdown menu to select another issue.

- b. **Comment End Date:** The public comment forum will begin the date this stage is published. If you leave the comment end date blank, the Town Hall will automatically apply the standard length of 30 days. You can extend the comment period by entering a later date, but you cannot shorten it.
 - c. **Periodic review announcement:** If you are using this action to conduct a new periodic review, you should answer YES here (and on the Edit Action page). Ensure you also completed the Periodic Review Announcement section of the Agency Background Document.
 3. Now click on the SUBMIT TO REGISTRAR button at the bottom of the page to complete your submission. Once this occurs, two items will be created that may be useful for reference:
 - a. A confirmation screen will appear showing that the submission was successful and who was notified by email about the submission.
 - b. On the Stage page, under the Documents section, a new document will be added. This is a copy of the transmittal sheet generated by the Town Hall when notifying the Registrar's office. This may be useful for reference if further communication with the Registrar's office is required.

Public notification: Five days before the stage is published in the *Register*, automatic email notifications about the stage are sent to the Town Hall's registered public users.

Creating and Submitting a Proposed Stage for Executive Branch Review

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action.
2. On the Action page, look for the Stages section. From the pull-down menu, select Proposed and then click the CREATE STAGE button.
3. On the Edit Proposed Stage page, ensure all information is correct:
 - a. **Revised Proposed?** Unless a Proposed stage for this action was already published, the answer should be NO.
 - b. **Incorporation by reference:** if your proposed text references any separate publication or document that the agency wishes to make a part of the regulation, then answer YES. For more information, see the [regulations](#) of the Virginia Code Commission. Otherwise answer NO.
 - c. **Date Governor's Review Needed By (optional):** you may enter a date if the Governor's review is needed before a deadline.
 - d. Click the SAVE button and you will go to the stage page.
4. Next, on the Stage page:
 - a. **Proposed Text:** If your action is already linked to an RIS project, click on SYNC TEXT WITH RIS to display the RIS project text on the Town Hall. If your RIS project has not already been connected to the Action on the Town Hall, browse to the Action page, select Edit Action, and establish this connection now.
 - b. **Agency Background Document (ABD):** upload a completed [Proposed Stage ABD](#), which is also known as a TH-02 form.
5. Once the stage is ready to be submitted for executive branch review, click on the SUBMIT TO AG button to initiate the review process. You will be notified by email once the Attorney General's Office has completed its certification.

6. After certification, use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the stage you want to submit.
7. Next, on the Stage page, click the SUBMIT TO DPB button. At this point the stage becomes viewable by the public on the Town Hall and can be found via a search. After DPB's review is complete, the stage is automatically forwarded to the next executive branch reviewer; you will be notified by email after each executive branch reviewer completes their review.

After executive branch review is complete, you can submit the stage to the Registrar's office for publication in the *Register*.

Note: The Agency Response to EIA document must be uploaded to the Town Hall before the Proposed stage can be submitted to the Registrar's office. To save time, you may wish to complete that document once DPB's review is complete.

Submitting a Proposed Stage to the Registrar for Publication

*Note: If you are holding a public hearing for this proposed stage, as you determined when the NOIRA stage was created, you must create a corresponding Meeting on the Town Hall so the Registrar can publish that information as part of the Proposed stage. The hearing must be held during the 60-day comment period. For instructions on how to create a Meeting, see Chapter 6 of this user manual. Note: when creating the meeting, select the **Public Hearing** option. After you select this option, you must select the Proposed stage(s) that will be discussed. Until a corresponding Meeting is created, you cannot submit the Proposed stage to the Registrar.*

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct stage.
2. On the Stage page, upload your **Agency Response to EIA** document. Here are some possible responses: "The agency/board concurs with the EIA," or "The agency/board concurs with the EIA, but wishes to express the following reservations: ..."
3. Next, click the SUBMIT TO REGISTRAR button and enter the appropriate information:
 - a. **The Virginia Register:** The Town Hall will retrieve publication information for the next available issue of the *Register*. If you wish to choose a later publication date, you can use the dropdown menu to select another issue.
 - b. **Comment End Date:** The public comment forum will begin the date this stage is published. If you leave the comment end date blank, the Town Hall will automatically apply the standard length of 60 days. You can extend the comment period by entering a later date, but you cannot shorten it.
 - c. **Periodic review announcement:** If you are using this action to conduct a new periodic review, you should answer YES here. Ensure you also completed the Periodic Review Report of Findings section of the Agency Background Document.
4. Now click on the SUBMIT TO REGISTRAR button at the bottom of the page to complete your submission. Once this occurs, two items will be created that may be useful for reference:
 - a. A confirmation screen will appear showing that the submission was successful and who was notified by email about the submission.
 - b. On the Stage page, under the Documents section, a new document will be added. This is a copy of the transmittal sheet generated by the Town Hall when notifying the Registrar's office. This may be useful for reference if further communication with the Registrar's office is required.

Public notification: Five days before the stage is published in the *Register*, automatic email notifications about the stage are sent to Town Hall registered public users.

Creating and Submitting a Final Stage for Executive Branch Review

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action.
2. On the Action page, look for the Stages section. From the pull-down menu, select Final and then click the CREATE STAGE button.
3. On the Edit Final Stage page, ensure all information is correct:
 - a. **Does this stage require Attorney General certification?** If any substantive changes have been made since publication of the Proposed stage, the Registrar requires a new certification for the final stage. To submit this Final stage to the OAG, click YES.
 - b. **Is this final text identical to the proposed text?** If the text is completely identical, then click YES. If any changes have been made, click NO.
 - c. **Were comments received during the proposed stage?** Indicate whether any comments were received during the public comment period after publication of the proposed stage, including comments received by the agency that are not on the Town Hall.
 - d. **Incorporation by reference:** If your proposed text references any separate publication or document that the agency wishes to make a part of the regulation, then answer YES. For more information, see the [regulations](#) of the Virginia Code Commission. Otherwise answer NO.
 - e. Click the SAVE button and you will go to the stage page.
4. Next, on the Stage page:
 - a. **Final Text:** Click on SYNC TEXT WITH RIS to display the latest RIS project text on the Town Hall.
 - b. **Agency Background Document (ABD):** upload a completed [Final Stage ABD](#), also known as the TH-03 form.
5. The next step depends on whether a new Attorney General certification is required:
 - a. If you indicate that a new certification is needed, click on the SUBMIT TO AG button to initiate the review process. You will be notified by email once the Attorney General's Office has completed its certification. Once the regulation is certified, you will need to submit the package to DPB.
 - b. If a new certification is not needed, click on the SUBMIT TO DPB button. At this point the stage becomes viewable by the public on the Town Hall and can be found via a search. After DPB's review is complete, the NOIRA is automatically forwarded to the next executive branch reviewer; you will be notified by email after each executive branch reviewer completes their review.

After executive branch review is complete, you can submit the stage to the Registrar's office for publication in the *Register*.

Submitting a Final Stage to the Registrar for Publication

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct stage.
2. On the Stage page, click the SUBMIT TO REGISTRAR button and enter the appropriate information:

- a. **Publication Information:** The Town Hall will retrieve publication information for the next available issue of the *Register*. If you wish to choose a later publication date, you can use the dropdown menu to select another issue.
 - b. **Comment End Date:** The final adoption period will begin on the date this stage is published. If you leave the comment end date blank, the Town Hall will automatically apply the standard length of 30 days. You can extend the final adoption period by entering a later date, but you cannot shorten it.
 - c. **Final Effective Date:** The Town Hall will suggest an effective date that is 30 days from the current day, or you can pick a later date if you wish.
3. Now click on the SUBMIT TO REGISTRAR button at the bottom of the page to complete your submission. Once this occurs, two items will be created that may be useful for reference:
- a. A confirmation screen will appear showing that the submission was successful and who was notified by email about the submission.
 - b. On the Stage page, under the Documents section, a new document will be added. This is a copy of the transmittal sheet generated by the Town Hall when notifying the Registrar's office. This may be useful for reference if further communication with the Registrar's office is required.

Public notification: Five days before the stage is published in the *Register*, automatic email notifications about the stage are sent to the Town Hall's registered public users.

The next chapter contains detailed instructions on how to add stages to Fast-Track, Emergency, and exempt actions.