

Chapter 15 *Withdrawing, Deleting, and Suspending Actions*

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

After an action or stage has been created on the Town Hall, it may need to be deleted or withdrawn. In addition, after a final stage has been adopted there may be circumstances where all or some of the text needs to be suspended and not take effect.

Withdrawing or Deleting Actions and Stages

The Town Hall allows you to withdraw an action or a stage at any time before the action becomes effective.

However, there is an important distinction between deleting and withdrawing on the Town Hall:

An action can be **deleted** when no stage has been submitted to the next step in the regulatory process (that is, it has not left your agency and not been sent to the OAG, DPB, or the Registrar). Similarly, a stage can be deleted if it has not been submitted to the next step in the process (that is, if it hasn't left your agency). When an action or stage is deleted, no public email notifications are sent and no notice is published in *Register*.

In contrast, **withdrawing** a stage or action results in that stage or action showing as "Withdrawn" on the Town Hall, and notifications are sent.

- If you withdraw a stage, all activity related to that stage ends, but the action remains active and new stages can be added to the action as necessary. However, the process differs depending on when a stage is withdrawn:
 - If a stage is withdrawn *before* it has been submitted to the Registrar, then the Secretary's Office, Governor's Office, and the Agency Coordinator are notified (but not registered public users or the Registrar).
 - If a stage is withdrawn *after* it has been submitted to the Registrar, the comment forum (if any and if open) will be closed. If any comments were posted, they will still be visible. A public notification about the withdrawal will be sent that evening, and the Secretary's Office, Governor's Office, the Agency Coordinator, and the Registrar will be notified.
- If you withdraw an entire action:
 - All activity on that action and its stages ends, and it cannot later be reactivated.
 - If any stage has been published as part of that action, a public notification about the withdrawal will go out that evening, and the Secretary's Office, Governor's Office, the Agency Coordinator, and the Registrar are notified.

Withdrawing a Stage and Retaining the Action

In order to withdraw a stage, take the following steps:

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action;
2. Click the stage you wish to withdraw;
3. On the Stage page, click on the WITHDRAW STAGE link near the top of the page. Your stage has now been withdrawn.

Withdrawing an Entire Action and all Associated Stages

In order to withdraw an entire regulatory action, take the following steps:

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action.
2. On the Action page, click on the WITHDRAW ACTION link.
3. Confirm the withdrawal of the action.

Suspending a Final Stage

Some or all of the provisions in a final stage may be suspended (and not take effect) after the stage has been submitted to the Registrar and at any time until its effective date.

In order to indicate on the Town Hall that a final stage has been suspended, take the following steps:

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action.
2. On the Action page, click on the final stage you wish to suspend.
3. On the Stage page, click on the SUSPEND STAGE link near the top of the page and ensure all information is correct:
 - a. **Suspension Reason:** In the box provided, note the reason why all or some of the provisions in the final stage have been suspended.
 - b. **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 for the suspension notice, you can use the dropdown menu to select another issue.
 - c. **Comment Forum:** At the bottom of the page indicate whether or not you wish to open a 30-day public comment period at the same time the suspension notice is published.
4. Click the CONTINUE button.

Emails will be sent to the Registrar, Secretary's Office, Governor's Office, and the Agency Coordinator and to the public.

Indicating the Final Readoption Decision

Pursuant to Code § 2.2-4015 (B), after some or all of the provisions of a final stage have been suspended, “any action by the agency that either amends the regulation or does not amend the regulation but specifies a new effective date shall be considered a readoption of the regulation....” Your agency can indicate its final readoption decision as follows:

1. Use the Agency Functions menu to select MY CURRENT ACTIONS, and then click the correct action.
2. On the Action page, click on the final stage that was suspended.

3. On the Stage page, click the button that says SUBMIT FINAL DECISION, and then select one of the following to indicate the agency's decision:
 - a. **Readopt the suspended provisions "as is" with no further changes.** If you select this option, you will be prompted to enter a new final effective date. The Town Hall will suggest an effective date that is 30 days from the current day.
 - b. **Make some revisions to the suspended provisions in a new Final stage.** Select this option if you will amend the suspended provisions in a new Final stage in this action.
 - c. **Not to readopt the suspended provisions.** Select this option if the suspended provisions will not be readopted.

A public email about the decision will be sent that evening, and the Secretary's Office, Governor's Office, the Agency Coordinator, and the Registrar will also be notified.

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