

This is an emergency amendment to 1.24.10 NMAC, Section 15, effective 4/29/2020.

1.24.10.15 NMAC TRANSMITTAL FORM:

A. Each rule filing delivered to the records center shall be accompanied by a completed NMAC transmittal form in hard copy with an original signature in black ink or with a valid digital signature.

B. The administrative law division shall provide agencies with blank NMAC transmittal forms in electronic format.

C. The filing agency shall complete the NMAC transmittal form and submit to the administrative law division for review and approval prior to adoption of any rulemaking.

D. The NMAC transmittal form shall not be handwritten and shall be suitable for reproduction.

E. The following shall appear on the NMAC transmittal form:

- (1) issuing agency name and address;
- (2) three digit DFA account code for the agency (if applicable);
- (3) volume, issue, publication date in register for rule filing;
- (4) contact person's name, phone number, and e-mail address;
- (5) type of filing - i.e., new, amendment, renumber, repeal, repeal/replace or emergency filing;
- (6) total number of pages;
- (7) date(s) of any public hearing(s) on the proposed rule or amendment;
- (8) effective date of the rule filing;
- (9) NMAC title, chapter and part name and number;
- (10) description of amendment (for amendment filing only, i.e. "amending two sections");
- (11) amendment's NMAC citation (i.e. 1.24.10.15 and 16 NMAC);
- (12) sequence number and most recent filing date of the part (if applicable and designated for administrative law division use only);
- (13) declaration of incorporated material;
- (14) if reference materials are attached and are protected by copyright:
 - (a) indication if copyright permission was obtained;
 - (b) the proof of permission; or
 - (c) material is within the definition of public domain;
- (15) specific statutory or other authority authorizing the rulemaking by the issuing agency to promulgate rules;
- (16) any findings required by a provision of law for adoption of the rule;
- (17) rule adoption date; and
- (18) rule effective date.

F. Each rule filing shall bear the original signature of the issuing authority or authorized designee in black ink on the paper copy of the NMAC transmittal form. If authority is delegated, the box shall be checked. For the duration of state of public health emergency declared by governor under the Public Health Emergency Response Act, any rule filing may be accepted, with a valid digital signature, and will be filed by administrative law division on appropriate New Mexico register submittal deadline; unless agency needs rule to be filed on a different date, pursuant to Subsection D of Section 14-4-5 or Section 14-4-5.6 NMSA 1978, then alternate arrangements will be made on a case by case basis.

G. Those portions of the transmittal form that are completed by the issuing agency under the concise explanatory statement heading shall be considered sufficient compliance with State Rules Act and shall be provided to the public at the time the issuing agency adopts any rule making.

[1.24.10.15 NMAC - Rp, 1 NMAC 3.3.10.11, 2/29/2000; A, 6/30/2004; A, 9/15/2014; A, 11/30/2015; A, 7/1/2017; A/E, 4/29/2020]