

Administrative Procedures Act

23	Agency Orders	Under the Administrative Procedures Act (APA), each agency shall make all written formal orders available for public inspection and copying, subject to any confidentiality laws. These orders shall be indexed by name and subject.	Official agency copy must be held permanently. If previously held paper documents are electronically imaged, the image must be verified and may become the official record for this series for permanent retention. The form and format of electronic images must not restrict the ability of the public to obtain copies as outlined in applicable laws.
24	Declaratory Opinions	Under the Administrative Procedures Act (APA), any person with a substantial interest in the subject matter of an agency may make a written request for a declaratory opinion. The agency requested must maintain rules for the issuance of a declaratory opinion, and respond as provided for by law. Each agency is responsible for making the opinions available for public inspection; indexed by name and subject within the limits or confidentially statutes or exemption from public disclosure pursuant to other provisions of law.	Official agency copy must be held permanently. The history of the agency opinions shall be reflected through permanent retention of these records. If previously held paper documents are electronically imaged, the image must be verified and may become the official record for this series for permanent retention. The form and format of electronic images must not restrict the ability of the public to obtain copies as outlined in applicable laws.
25	Rule-Making Docket	Under the Administrative Procedures Act (APA), each state agency is required to compile, publish and make available the rules which affect the public. These rules are filed with the Secretary of State for inclusion in the Administrative Bulletin. The Rule-Making Docket contains the elements as required in applicable code for each pending rule-making proceeding and indicates the subject matter, citations to publications, location of public comment inspection, economic impact statement, current status, date of rule adoption, and effective date.	The official agency copy must be held permanently. If previously held paper documents are electronically imaged, the image must be verified by the agency and may become the official record for this series for permanent retention. The form and format of electronic images must not restrict the ability of the public to obtain copies as outlined in applicable laws. The creating agency need not send this series to MDAH, as the official copies of the rules filed with the Secretary of State are transferred to MDAH for archival retention under a separate records control schedule.
26	Rule-Making Record	Under the Administrative Procedures Act (APA), each agency shall make rules and other matter available to the public upon request. There may be some additional records not covered by a specific schedule, which may include correspondence regarding advice on rules, Secretary of State filing forms, rules for the conduct of an oral	The history of the agency rule-making process shall be reflected through permanent retention of these records. It is important to retain this series for continuity of services and rules over time, and for providing the supportive documentation to evidence

		proceeding, official transcripts of oral proceedings, written comments on rules, newspaper publications, 5-year review of the agency APA rules, and other records which document the creation of any agency rule.	the decisions of an agency. If any of these pages are duplicated elsewhere, only one official copy must be retained. If previously held paper documents are electronically imaged, the image must be verified and may become the official record for this series for permanent retention. The form and format of electronic images must not restrict the ability of the public to obtain copies as outlined in applicable laws.
267	Administrative Code	This series consists of the administrative rule filings by all state agencies, boards or commissions in the Administrative Bulletin and documents containing all effective rules housed in the Administrative Code. Rule filings are presented to the Secretary of State as electronic files including rule text and approved forms. The filings are saved as an Administrative Bulletin, which is a collection of all rules filed regardless of their status. The Administrative Code is a collection of all the currently effective rules.	Hold electronic files of each filing permanently. Image and verify paper forms, then dispose of paper. Transfer accumulation of paper filings prior to 2009 to Archives. Annually transfer to Archives on June 30th, one electronic copy of the Administrative Code and one copy of the past year's filings from the Administrative Bulletin in a format that has been agreed upon.