



# INDIANA REGISTER

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## RELATION OF THE INDIANA REGISTER TO THE INDIANA ADMINISTRATIVE CODE

The Indiana Register is an official monthly publication of the state of Indiana. The Indiana Legislative Council publishes the full text of proposed rules, final rules, and other documents, such as executive orders and attorney general's opinions, in the Indiana Register in the order in which the Indiana Legislative Council receives the documents.

The Indiana Administrative Code is an official annual publication of the state of Indiana. It codifies the current general and permanent rules of state agencies in subject matter order.

The Indiana Register acts as a source of information about the rules being proposed by state agencies and acts as an "advance sheet" to the Indiana Administrative Code. With few exceptions, an agency may not adopt a rule, i.e., a policy statement having the force of law, without publishing a substantially similar proposed version in the Indiana Register. Although a rule becomes effective without publication in the Indiana Register, an agency must file an adopted and approved rule with the Indiana Legislative Council. The Council publishes these final rules in the Indiana Register.

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## RETENTION SCHEDULE

A person must consult the following publications to find the current rules of state agencies:

- (1) Indiana Administrative Code (2001).
- (2) Volumes 24 and 25 of the Indiana Register.

The 1996 Edition of the Indiana Administrative Code, the 2000 Cumulative Supplement, and other volumes of the Indiana Register may be discarded. (Please consider recycling.)

**JUDICIAL NOTICE AND CITATION FORM**

IC 4-22-9 provides for the judicial notice of rules published in the Indiana Register or the Indiana Administrative Code. Subject to any errata notice which may affect a rule, the latest published version of a final rule is prima facie evidence of that rule's validity and content.

Cite to a current general and permanent rule by Indiana Administrative Code citation, regardless of whether it has been published in a supplement to the Indiana Administrative Code. For example, cite the entire current contents of title 310 as "Title 310 of the Indiana Administrative Code", cite the entire current contents of the third article in title 310 as "310 IAC 3", cite the entire current contents of the fourth rule in article three as "310 IAC 3-4", and cite part or all of the current contents of the second section in rule four as "310 IAC 3-4-2". IC 4-22-9-6 provides that a citation in this form contains later adopted amendments. Cite a noncodified rule provision by LSA document number, SECTION number, and Indiana Register citation to the page at which the cited text begins. If a reference to a particular version of a rule or a page in the Indiana Register is appropriate, cite the volume, page, and year of publication as "15 Ind. Reg. 120(1992)". A shorter Indiana Register citation form is "15 IR 120".

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**PRINTING CODE**

**This style type** is used to indicate that substantive text is being inserted by amendment into a rule, and **this style type** is used to indicate that substantive text is being eliminated by amendment from a rule. **This style type** is replaced by a single large "X" to show the elimination of a form or other piece of artwork. **This style type** is used to indicate a rule is being added. *This style type* and **this style type** also are used to highlight nonsubstantive annotations to a rule and to indicate that an entry in a reference table or the index concerns a final rule.

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**REFERENCE TABLES AND INDEX**

The page location of rules and other documents printed in the Indiana Register can be found by using the tables and index published in the Indiana Register. A citation listing of the general and permanent rules affected in a volume and a cumulative index are published in each issue. Cumulative tables which cite executive orders, attorney general's opinions, and other nonrule policy documents printed in a calendar year are published quarterly.

**FILING AND PUBLISHING SCHEDULE**

NOTICE AND PUBLICATION SCHEDULE. The Legislative Services Agency publishes documents filed by 4:45 p.m. on the tenth day of a month (no later than the twelfth day of a month, excluding holidays or weekends) in the following month's Indiana Register according to the schedule below:

**PUBLICATION SCHEDULE**

<b>Closing Dates:</b>	<b>Publication Dates:</b>	<b>Closing Dates:</b>	<b>Publication Dates:</b>
February 11, 2002	March 1, 2002	September 10, 2002	October 1, 2002
March 11, 2002	April 1, 2002	October 10, 2002	November 1, 2002
April 10, 2002	May 1, 2002	November 12, 2002	December 1, 2002
May 10, 2002	June 1, 2002	December 10, 2002	January 1, 2003
June 10, 2002	July 1, 2002	January 10, 2003	February 1, 2003
July 10, 2002	August 1, 2002	February 10, 2003	March 1, 2003
August 9, 2002	September 1, 2002	March 10, 2003	April 1, 2003

Documents will be accepted for filing on any business day from 8:00 a.m. to 4:45 p.m.

**AROC NOTICES:** Under IC 2-5-18-4, the Administrative Rules Oversight Committee is established to oversee the rules of any agency not listed in IC 4-21.5-2-4. As a result, certain notices to the AROC are required and are printed in the Indiana Register.

**CORRECTIONS:** IC 4-22-2-38 authorizes an agency to correct typographical, clerical, or spelling errors in a final rule without initiating a new rulemaking procedure. Correction notices are printed on errata pages in the Indiana Register.

**EFFECTIVE DATE:** IC 4-22-2-36 provides that, unless a later date is specified in the rule, a rule becomes effective thirty (30) days after filing with the Secretary of State.

**EMERGENCY RULES:** IC 4-22-2-37.1 provides summary rulemaking procedures for certain specified categories of rules.

**INCORPORATION BY REFERENCE:** IC 4-22-2-21 requires that a copy of must matters that are incorporated by reference into a rule be filed with the Attorney General, Governor, and the Secretary of State along with the text of the incorporating final rule.

**NONRULE POLICY DOCUMENTS:** IC 4-22-7-7 requires that any nonrule document that interprets, supplements, or implements a statute and that the issuing agency may use in conducting its external affairs must be filed with the Legislative Services Agency and published in the Indiana Register.

**NOTICE OF INTENT TO ADOPT A RULE:** IC 4-22-2-25 requires an agency to publish a Notice of Intent to Adopt a Rule at least thirty (30) days before publication of the proposed rule.

**PROMULGATION PERIOD:** In order to be effective, the final version of an adopted rule must be approved by the Attorney General and Governor within one (1) year after the date that the proposed rule is published. Final rules must then be filed with the Secretary of State.

**PUBLIC HEARINGS:** IC 4-22-2-24 requires that the public hearing on a proposed rule be scheduled at least twenty-one (21) days after a notice of the hearing is published in the Indiana Register and in a newspaper of general circulation in Marion County.