
TITLE 820 STATE BOARD OF COSMETOLOGY EXAMINERS

**Administrative Rules Oversight Committee Notice
One Year Requirement ([IC 4-22-2-25](#))
LSA Document #08-935**

August 24, 2009

Honorable Representative Scott Pelath, Chairperson
Administrative Rules Oversight Committee
c/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

Re: LSA Document Number 08-935

Dear Representative Pelath:

On behalf of the Indiana State Board of Cosmetology Examiners, Indiana Professional Licensing Agency, I am submitting this letter to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-25](#) because the Agency has determined that the promulgation of the captioned rule may not be completed within one year after publication of the Notice of Intent to Adopt a Rule.

The Agency published its Notice of Intent to Adopt a Rule for the captioned document on December 24, 2008 (DIN: [20081224-IR-820080935NIA](#)). To date, the Office of Management and Budget has not completed its review of the fiscal analysis and the Agency also needs additional time to consider public comments presented at the May 18, 2009, public hearing.

Any rule adopted by the agency must be approved by the State Board of Cosmetology Examiners, a board that meets only six times per year and only two more times in 2009.

Following approval by the board, the rule must be submitted to the Attorney General's office. Pursuant to [IC 4-22-2-32](#), the Attorney General has 45 days to complete his review of a rule. The Attorney General's and OMB's time frame for rule review are outside of the agency's control.

For these reasons, it is unlikely that the rule will be approved by the Governor within one year of the date of publication of the Notice of Intent to Adopt a Rule. The agency expects that the rules can be approved by the Governor by June 30, 2010.

This notice setting forth the expected date of approval of LSA Document Number 08-935 as June 30, 2010, is being submitted in a timely manner. August 31, 2009, is the two hundred forty-fourth day after publication of the Notice of Intent to Adopt a Rule.

Sincerely,

Tracy Hicks

Tracy Hicks
Board Director

Cc: Frances L. Kelly, Executive Director
Marty Allain, Chief Legal Counsel

Posted: 09/09/2009 by Legislative Services Agency
An [html](#) version of this document.