

**Administrative Rules Oversight Committee Notice
One Year Requirement ([IC 4-22-2-25](#))
LSA Document #10-165**

November 15, 2010

Senator R. Michael Young, Chairperson
Administrative Rules Oversight Committee
c/o Indiana Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
ATTN: Sarah Burkman

Re: LSA Document #10-165 – Software Rule

Dear Senator Young:

On behalf of the Department of Local Government Finance (Department), I am submitting this notice to the Administrative Rules Oversight Committee in compliance with [IC 4-22-2-25](#), because the Department 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 Department published its Notice of Intent to Adopt a Rule for the captioned document on March 24, 2010 (DIN: [20100324-IR-050100165NIA](#)). As part of the fiscal analysis of the rule, the State Budget Agency required the Department to get input from software vendors that would be affected by the implementation of the rule. The Department did not receive a response to the request for financial analysis of the rule until August 17, 2010. Thereafter, on September 29, 2010, the Department submitted the required fiscal analysis forms to the State Budget Agency and received its approval on October 7, 2010. The Proposed Rule and the Notice of Public Hearing were published on October 27, 2010, at least 21 days before the hearing date. The public hearing will be held on November 18, 2010.

Following the public hearing, the agency must consider and respond to public comments. The Department has received comments of some significance regarding the Proposed Rule and expects to receive additional comments during the hearing. The rule is somewhat complex and technical, and the Department wants to ensure that the rule reflects the needs of the counties, the Department, and LSA. Pursuant to [IC 4-22-1-32](#), the Attorney General has 45 days to complete review of the rule. The time frames beyond the adoption of the rule by the Department's adoption committee are not within the control of the Department. Thus, the promulgation of the rule will likely not be completed by March 23, 2011. The Department believes that the rule can be approved by the Governor by May 24, 2011. This notice setting forth the expected date of approval of LSA *[Document]* #10-165 as May 24, 2011, is being submitted in a timely manner. November 29, 2010, is the two hundred and fiftieth day after publication of the Notice of Intent to Adopt a Rule.

Sincerely,

Catherine H. Wolter,
Assistant General Counsel
Department of Local Government Finance

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