

**RULES
OF THE
TENNESSEE DEPARTMENT OF STATE
DIVISION OF PUBLICATIONS**

**CHAPTER 1360-01-03
WITHDRAWAL OF RULES, STAYS OF EFFECTIVE DATES, AND WITHDRAWAL OF STAY OF
EFFECTIVE DATE**

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1360-01-03-.01 DEFINITIONS.

- (1) Withdrawal of Rules – An agency may, after filing, withdraw a rule prior to the effective date of the rule. The rule withdrawal shall take effect upon delivery of written notification of such withdrawal to the Department of State.
- (2) Stay of Effective Date of Rules – Prior to the effective date of a rule the agency proposing the rule may stay the running of the ninety (90) day period for a duration not to exceed seventy (75) days. Such stay shall become effective at such time as the agency files written notice with the Secretary of State and shall specify the effective length of the stay.
- (3) Withdrawal of Stay of Effective Date – Prior to its expiration, the stay may be withdrawn by the agency. Withdrawal or expiration of the stay shall reactivate the running of the balance of the ninety (90) day period that remained upon the date the stay was filed.

Authority: T.C.A. §§ 4-5-206, 4-5-214, 4-5-215 and Public Chapter 566 of the 106th General Assembly.
Administrative History: (For history prior to June 22, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984. Repeal and new rule filed July 29, 2008; effective November 28, 2008. Amendments filed August 24, 2009; effective January 29, 2010.

1360-01-03-.02 FORMS AND THE COMPLETION OF FORMS. The forms supplied by the Secretary of State through the web site (<https://sos.tn.gov>) shall be completed by the rule filer and the following guidelines are to be followed.

- (1) A Notice of Withdrawal of Rules, Notice of Stay of Effective Dates, or Notice of Withdrawal of Stay of Effective Date (Form number 7041) shall require the following:
 - (a) Three (3) original forms documents with original signatures in hard copy or a single PDF copy of the signed original form document. Signatures may be affixed electronically.
 1. The following guidelines apply to the document:
 - (i) The documents must be clean and legible.
 - (ii) Use of capitals and lower case in all text. No “all caps.”
 - (iii) No bold, underline or italic fonts.
 - (iv) Do not use auto-numbering on paragraphs in the text of rule.

(Rule 1360-01-03-.02, continued)

- (v) Do not use the MS Word function “track changes.”
 - (vi) Do not use unneeded punctuation: Example: No comma between the rule number and rule title or apostrophe after agency name in main heading.
 - (vii) Use T.C.A. for Tennessee Code Annotated.
 - (viii) No hard return at the end of lines within a paragraph. Use at the end of a paragraph.
 - (ix) Use the enter key to put space between paragraphs. Do not use paragraph formatting to add space before or after the paragraph. This function does not work well with style pallets.
 - (x) Use hyphens on keyboard with no space between hyphen and rule numbers. Variations can cause search options to overlook target.
 - (xi) No single digits on rule and chapter numbers. Place “0” with single numbers. Example: 1200-5-5 = 1200-05-05.
 - (xii) Font style for all submissions shall be Arial and point size 10.
- (b) A digital version of the original form shall be submitted contemporaneously with the filing.
1. The file must be transmitted to the Division of Publications in MS Word format via email to publications.information@tn.gov. Contact the Division of Publications if unsure about software requirements.
 2. The email must include the following information within the body of the email:
 - (i) File name(s).
 - (ii) Software program and version.
 - (iii) Chapter(s) and rule number(s).
 - (iv) Name, address, email address and telephone number of the person who is responsible for the contents of the filing.
 - (v) Files not required by the Secretary of State should not be included within the email.
 - (vi) Electronic submission of forms shall not be encrypted. Any transmission of encrypted material to the Secretary of State pursuant to the Uniform Administrative Procedures Act will be rejected and returned to the agency as noncompliant.
- (2) Page numbering – Page one of all filings will be on the prescribed form. All additional pages will be numbered sequentially at the bottom, middle of the page.
- (3) Each filing with the Secretary of State shall clearly show at the bottom of that rule the statutory authority (rulemaking as well as substantive) for each rule. The only exception is when a particular group of rules has the same statutory authority, then that authority need only be cited once at the end of that group of rules.

(Rule 1360-01-03-.02, continued)

Authority: T.C.A. §§ 4-5-202, 4-5-206, 4-5-214, and 4-5-215. **Administrative History:** (For history prior to June 12, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984 effective June 22, 1984. Repeal and new rule filed July 29, 2008; effective November 28, 2008. Amendment filed May 9, 2012; effective October 29, 2012. Emergency rules filed March 18, 2020; effective through September 14, 2020. Emergency rules expired effective September 15, 2020, and the rules reverted to their previous statuses. Emergency rules filed September 16, 2020; effective through March 15, 2021.

1360-01-03-.03 RESERVATION OF RIGHT OF REJECTION BY THE SECRETARY OF STATE

The Secretary of State reserves the right to reject agency submittals for noncompliance with these rules.

Authority: T.C.A. §§ 4-5-202 and 4-5-206. **Administrative History:** (For history prior to June 22, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984. Amendment filed April 16, 1990; effective July 29, 1990. New rule filed June 12, 1995; effective October 27, 1995. Repeal and new rule filed July 29, 2008; effective November 28, 2008.

1360-01-03-.04 REPEALED.

Authority: T.C.A. §§ 4-5-202 and 4-5-206. **Administrative History:** (For history prior to June 22, 1984, see pages 1-1.001.) Repeal and new rule filed May 23, 1984; effective June 22, 1984. Repeal filed July 29, 2008; effective November 28, 2008.