

21.5 EFFECTIVE PERIOD OF EXEMPT RULES

An exempt rule adopted under section 14.386 is effective for a period of two years from the date of publication in the *State Register*. The authority for the rule expires at the end of the two-year period.¹

If a rule is adopted under section 14.388, the “good cause” exemption, the effective period will vary depending on the criteria that was used to adopt the rule. If a rule was exempt because it was needed to address a serious and immediate threat to the public health, safety or welfare or to comply with a court order or a requirement in federal law in a manner that does not allow for compliance with the APA, the rules are effective for a period of two years from the date of publication of the rule in the *State Register*.² However, if the adopted rules obtained the exempt status because they were needed to incorporate specific changes set forth in applicable statutes or to make changes that did not alter the sense, meaning, or effect of a rule, the rules are effective upon publication in the *State Register* and are in effect until repealed.³

¹ MINN. STAT. § 14.386(b) (2014).

² *Id.* § 14.388, subd. 1.

³ *Id.*