

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING DEPARTMENT OF FINANCIAL INSTITUTIONS

[R08-248]

- 1. Title and its heading:** 20, Commerce, Financial Institutions, and Insurance  
**Chapter and its heading:** 4, Department of Financial Institutions  
**Articles and their headings:** 2, Bank Organization and Regulation; 3, Savings and Loan Associations; 4, Credit Unions; 7, Escrow Agents; 9, Mortgage Brokers; 18, Mortgage Bankers; 19, Commercial Mortgage Bankers  
**Section numbers:** R20-4-216 (New), R20-4-332 (New), R20-4-403 (New), R20-4-709 (New), R20-4-927 (New), R20-4-1813 (New), R20-4-1912 (New)
- 2. The subject matter of the proposed rule:**  
These new Sections concern a newly imposed duty to report certain forms of employee misconduct to the department for investigation and potential regulatory action against the employees. The Sections implement the provisions of A.R.S. §§ 6-161 and 23-1361.  
Specifically, and with regard to the affected industries, the Sections are intended to secure to employers the privileges and immunities granted by the language of A.R.S. §§ 23-1361(E), (F),(G), and (H).
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 13 A.A.R. 4332, December 7, 2007  
Notice of Proposed Rulemaking: 13 A.A.R. 4292, December 7, 2007  
Notice of Termination of Rulemaking: 14 A.A.R. 3182, August 8, 2008
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: John P. Hudock  
Address: Department of Financial Institutions  
2910 N. 44th St., Suite 310  
Phoenix, AZ 85018-7270  
Telephone: (602) 255-4421, ext. 167  
Fax: (602) 381-1225  
E-mail: jhudock@azdfi.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The department accepts written comments during business hours at the address stated in item 4 of this Notice. Comments are welcome at any time until the close of the record in this proceeding. The date for closure of the record depends on the publication date of the actual proposed rules, which has not yet occurred. Notice of any opportunity to make public oral comment will be published as required by law.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
No timetable has been projected or established. In late July or early August 2008 the department expects to submit the text of proposed rules for publication.