Schaffer Law Library's Guide on NYS Regulations and Executive Orders

State Administrative Procedure Act (SAPA): §§201 et. seq., governs rulemaking.
SAPA is found in the Consolidated Laws, alphabetically, under “S” not “A.”

The New York Code of Rules and Regulations (NYCRR; 1945-)
- Subject codification of currently effective NYS agency regulations (comparable to the federal CFR).
- The statutory authority for the NYCRR is contained in sec. 102 of the Executive Law.
- Divided into 22 titles (each generally dealing with a single subject area and usually an individual agency).
- Sections are numbered consecutively throughout each title.

Where Available
- In print, at the Schaffer Law Library
- NYS Dept. of State website
- Legislative Retrieval Service (LRS)
- LEXIS
- WESTLAW

New York State Register (1979-)
- Weekly publication of proposed and final regulations (or summaries of longer issuances), with agency background explanatory documents; also publishes executive orders, new court rules, and various administrative issuances.
- Cited by volume, page, and date (because each issue is separately paginated); e.g., 12 N.Y.S. Register 10 (March 1, 1992).

Where Available
- In print, at the Schaffer Law Library
- New York State Library
- NYS Dept. of State website http://www.dos.state.ny.us/info/register.htm
- LEXIS
- WESTLAW

UPDATING A NYCRR CITATION
- Check the "current pages" tab in each looseleaf volume of the NYCRR to ascertain the date of the most recent supplement.
- Check the most recent quarterly index to the NYS Register, arranged by agency,
and then by ID number of proposed and final regulations (but with no cross-reference to NYCRR titles and sections): you must scan the brief index descriptions of regulatory actions for any mention of the subject of your NYCRR section. Dates provided after each entry indicate when the regulatory action in question was published in the Register.

- Check the table of contents of each weekly NYS Register subsequent to the quarterly index: this is also arranged by agency with brief subheadings.

**FINDING THE REGULATIONS OF A PARTICULAR AGENCY**

- Check the index volumes of the NYCRR, arranged largely by agency name.

**FINDING REGULATIONS ON A PARTICULAR SUBJECT**

- Check the NYCRR index volumes.
- If you know the agency involved, scan the NYCRR table of contents at the beginning of that agency’s regulations.
- Oftentimes checking the index to the Consolidated Laws for a statute on the subject, and then checking for cross-references printed after that statute in the main Laws volumes, will work.

**I HAVE A STATUTE CITATION HOW CAN I FIND IF REGULATIONS HAVE BEEN ADOPTED UNDER IT**

- Consolidated Laws Service and McKinney’s Consolidated Laws sometimes provide cross references under individual statutes to pertinent regulations; check both sets if you can, because each picks up some regulation cross references the other doesn’t.

**I HAVE A REGULATION: HOW CAN I FIND THE STATUTE AUTHORIZING ITS ADOPTION**

- Check the statutory authority notes following parts in the NYCRR.

**I HAVE A NYCRR CITE: HOW CAN I FIND WHERE THE REGULATION WAS ORIGINALLY PUBLISHED (OR SUMMARIZED) IN THE NYS REGISTER**

- Check the historical notes following sections in the NYCRR. These give the date when regulations were filed with the Dept. Of State; their publication in the Register usually followed within a week or two after their filing.
GOVERNOR’S EXECUTIVE ORDERS

Where Available:

- Governor's website: [www.state.ny.us/governor](http://www.state.ny.us/governor)
- NYS Register
- Westlaw
- Lexis
- **Compilation**: Title 9(A) of the NYCRR prints all orders of governors from Rockefeller to present. Subject access provided by table of contents (by order number) for each governor.
- **Older orders**: Check *Public Papers* of the governors, published annually until the mid-1980s.