

63G-4-502 Emergency adjudicative proceedings.

- (1) An agency may issue an order on an emergency basis without complying with the requirements of this chapter if:
 - (a) the facts known by the agency or presented to the agency show that an immediate and significant danger to the public health, safety, or welfare exists; and
 - (b) the threat requires immediate action by the agency.
- (2) In issuing its emergency order, the agency shall:
 - (a) limit its order to require only the action necessary to prevent or avoid the danger to the public health, safety, or welfare;
 - (b) issue promptly a written order, effective immediately, that includes a brief statement of findings of fact, conclusions of law, and reasons for the agency's utilization of emergency adjudicative proceedings; and
 - (c) give immediate notice to the persons who are required to comply with the order.
- (3) If the emergency order issued under this section will result in the continued infringement or impairment of any legal right or interest of any party, the agency shall commence a formal adjudicative proceeding in accordance with the other provisions of this chapter.

Renumbered and Amended by Chapter 382, 2008 General Session