

March 2026

Re: Public Comments (compiled and summarized) regarding *rules on Member State Default, Non-Compliance, and Dispute Resolution*

Comment period: February 12 – March 13, 2026

- **Comments on rules on Member State Default, Non-Compliance, and Dispute Resolution**

1. From W. Lauer 3.12.26: In the Member State Default and Non-Compliance Chapter 8, Rule 8.4, it states that the Commission can initiate legal action to enforce compliance with the provisions of the Compact, its rules, and Bylaws against any member state. Does this mean that the rules and Bylaws of the Compact supersede the rules and Bylaws of the member state?
 - A. Perry responded to this inquiry via email with the following message: In the [OTC legislation](#) that each state passed, Section 14.C states, "Any laws in a Member State in conflict with the Compact are superseded to the extent of the conflict." Section 8.C.5 and 6, state that the OTCC (commission) can take actions that are consistent with the Compact [law] and bylaws, and that the Compact rules have the force and effect of law, binding each state to them. The OTC's legislation does supersede the state's laws; however, it is only to the extent that it applies to the conflict.