

House Bill 2786

Sponsored by Representative THATCHER (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Clarifies that agency may not adopt rule that conflicts with statute. Provides that agency may not rely on general statutory grant of authority to adopt rules that conflict with more specific statutory provisions or to adopt rules that expand protections, sanctions, eligibility or other matters governed by more specific statutory provisions.

A BILL FOR AN ACT

1
2 Relating to administrative rules.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2011 Act is added to and made a part of ORS 183.325 to**
5 **183.410.**

6 **SECTION 2. (1) An agency may not adopt any rule that conflicts with a statute.**

7 **(2) An agency may not rely on a general statutory grant of authority to adopt rules that**
8 **conflict with more specific statutory provisions or to adopt rules that expand protections,**
9 **sanctions, eligibility or other matters governed by more specific statutory provisions.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.