

House Bill 3322

Sponsored by Representative THOMPSON; Representative HUFFMAN

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**.

Provides that state agency may not file rule with Secretary of State until rule has been reviewed by joint committee of Legislative Assembly. Exempts temporary rules. Provides that joint committee may not disapprove rule. Voids rule filed with Secretary of State without review by joint committee. Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to legislative review of rules; and declaring an emergency.

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 183.310 to**
5 **183.410.**

6 **SECTION 2. (1) An agency may not file a rule with the Secretary of State under ORS**
7 **183.355 until the rule has been reviewed by a joint committee of the Legislative Assembly.**
8 **The President of the Senate and Speaker of the House of Representatives shall designate the**
9 **joint committees reviewing rules under this section based on the subject matter of the rules.**
10 **The President of the Senate and Speaker of the House of Representatives may establish a**
11 **permanent joint committee for reviewing rules and designate that committee to review**
12 **specified rules.**

13 **(2) The joint committee designated under subsection (1) of this section shall take public**
14 **testimony regarding any rule reviewed under this section. The agency shall provide to the**
15 **committee the record on which the agency relied, including any testimony received at public**
16 **hearings held by the agency.**

17 **(3) A joint committee designated under subsection (1) of this section to review a rule:**

18 **(a) Shall determine whether the rule is consistent with legislative intent for the statutes**
19 **implemented by the rule;**

20 **(b) May consider whether the statutes implemented by the rule should be revised to re-**
21 **fect changes in circumstances that have occurred since the statutes were enacted;**

22 **(c) May introduce legislation addressing the subject matter of the rule; and**

23 **(d) May not disapprove the rule.**

24 **(4) The provisions of this section do not apply to a temporary rule adopted under ORS**
25 **183.335 (5). Agencies shall give notice to the President of the Senate and the Speaker of the**
26 **House of Representatives of all temporary rules adopted under ORS 183.335 (5).**

27 **(5) A rule filed with the Secretary of State under ORS 183.355 that does not comply with**
28 **the requirements of this section is void.**

29 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**
30 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**

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.

1 **on its passage.**

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