

# Senate Bill 712

Sponsored by Senator STARR; Senators ATKINSON, FERRIOLI, GIROD, KRUSE, OLSEN, WHITSETT, Representatives BREWER, LINDSAY, THOMPSON

## 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**.

Prohibits agencies from adopting any rule that becomes effective on or after effective date of Act and before July 1, 2012. Specifies exceptions.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to rule moratorium; 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 183.325 to**  
5 **183.410.**

6 **SECTION 3. (1) Except as provided in this section, an agency may not adopt any rule that**  
7 **becomes effective on or after the effective date of this 2011 Act and before July 1, 2012.**

8 **(2) Subsection (1) of this section does not apply to:**

9 **(a) Adoption of rules that are required by federal law;**

10 **(b) Adoption of rules for administration of laws that are enacted on or after January 1,**  
11 **2011; or**

12 **(c) Repeal of rules that became effective before January 1, 2011.**

13 **(3) The Governor may exempt a rule from the prohibitions of subsection (1) of this sec-**  
14 **tion if the Governor makes a written finding that public health, economic development or**  
15 **public safety would be jeopardized if the rule is not implemented and issues an executive**  
16 **order specifically exempting the rule from the prohibitions of subsection (1) of this section.**

17 **(4) Notwithstanding ORS 183.400, upon judicial review of a rule a court shall declare the**  
18 **rule invalid if the rule violates this section.**

19 **SECTION 3. This 2011 Act being necessary for the immediate preservation of the public**  
20 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**  
21 **on its passage.**

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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.