

House Bill 2720

Sponsored by Representative 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 state agencies from filing administrative rule with Secretary of State unless rule has been reviewed by joint committee of Legislative Assembly. Exempts temporary rules. Prohibits joint committee from disapproving rule.

Declares emergency, effective on passage.

A BILL FOR AN ACT

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

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

4 **SECTION 1. Section 2 of this 2013 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 in**
8 **accordance with this section. The President of the Senate and the Speaker of the House of**
9 **Representatives shall designate the joint committees reviewing rules under this section**
10 **based on the subject matter of the rules. The President of the Senate and the Speaker of the**
11 **House of Representatives may establish a permanent joint committee for reviewing rules and**
12 **designate that committee to review specified rules.**

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

16 **(3) The joint committee designated under subsection (1) of this section shall take public**
17 **testimony regarding any rule reviewed under this section. The joint committee:**

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) This section does not apply to temporary rules adopted under ORS 183.335 (5), except**
25 **that agencies shall give notice to the President of the Senate and the Speaker of the House**
26 **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 2013 Act being necessary for the immediate preservation of the public**
30 **peace, health and safety, an emergency is declared to exist, and this 2013 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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