

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Judiciary

REVENUE: No revenue impact

FISCAL: May have fiscal impact, statement not yet issued

SUBSEQUENT REFERRAL TO:

Action:

Vote:

Yeas:

Nays:

Exc.:

Prepared By: Channa Newell, Counsel

Meeting Dates: 2/23

WHAT THE MEASURE DOES: Removes requirement that modification of agency rules which change name of agency, change name of program, correct spelling or grammatical mistakes, correct statutory reference, or correct address or telephone numbers, be filed with, and undergo review by, Legislative Counsel.

ISSUES DISCUSSED:

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Upon adoption of agency rules, state agencies are required to send a copy of the rules to Legislative Counsel. Agencies must send rules to LC within 10 days after filing the certified copy with the Secretary of State. LC reviews the rules to determine whether they are within the intent and scope of the enabling legislation and if there are any constitutional issues raised by the rules.

Senate Bill 358 clarifies that adopted rules are due at LC within 10 days of the date on which the rules are filed with the Secretary of State, and allows agencies to forgo filing a copy with Legislative Counsel when the only changes are to change the name of the agency to conform with a statutory change, a program name change, correction of spelling or grammar, correction of statutory reference, or to correct an address or phone number. The measure also specifies that Legislative Counsel is not required to review such modifications.