

SB 227 B STAFF MEASURE SUMMARY

Carrier: Rep. Smith Warner

House Committee On Rules

Action Date: 05/30/17

Action: Do pass with amendments to the A-Eng bill. (Printed B-Eng.)

Vote: 8-0-1-0

Yeas: 8 - Barreto, Holvey, Kennemer, McLane, Nosse, Rayfield, Smith Warner, Williamson

Exc: 1 - Hack

Fiscal: No fiscal impact

Revenue: No revenue impact

Prepared By: Erin Seiler, LPRO Analyst

WHAT THE MEASURE DOES:

Updates rulemaking process to reflect current practices and use of digital technology. Authorizes rulemaking by Secretary of State (SOS) as to form of filings. Requires electronic transmission of all rule adoptions, changes or repeals, from SOS to Legislative Counsel (LC), within ten days of filing. Requires SOS notify agency that filed rule has been transmitted to LC. Requires agencies to report five-year rule reviews to SOS. Takes effect 91st day following adjournment *sine die*.

ISSUES DISCUSSED:

- Role of Archives Division in rulemaking process
- Modernization of rulemaking procedures
- Establishment of fully searchable online database of OARs

EFFECT OF AMENDMENT:

Requires SOS notify agency that filed rule has been transmitted to LC.

BACKGROUND:

The Secretary of State Archives Division is nearing completion of a fully searchable online database of Oregon Administrative Rules (OARs), expected to be completed by June 30, 2017. The electronic database was developed to permit the rulemaking process, from original action through publication and updating, to be automated and maintained in one place. However, statutes that govern rulemaking still contemplate a manual process, requiring, for example, manual filing of rules and an annual, printed compilation of OARs.

Senate Bill 227-B updates statutes governing rulemaking to be consistent with use of digital technology and current practice and authorizes the Secretary of State to make rules as to the form of filings.