

HB 4052 -2 STAFF MEASURE SUMMARY

House Committee On Economic Development and Trade

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Sub-Referral To: Joint Committee On Ways and Means

Meeting Dates: 2/7

WHAT THE MEASURE DOES:

Establishes the Small Business Rules Advisory Committee to serve as an advisory committee for agencies adopting new administrative rules and to review the effectiveness of existing administrative rules. Requires State Archives to provide administrative support to the committee. Requires all state agencies to review rules at least every five years and report to committee. Allows agencies to request the committee complete the required rule review and reporting. Requires Secretary of State to compile rule review reports and submit annually to the Legislative Assembly. Takes effect 91st day after sine die.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

-2 Eliminates provision for small business to request a rule review by the Small Business Rules Advisory Committee, eliminates requirement for all state agencies to review rules at least every five years, and adjusts content of rule review.

BACKGROUND:

Administrative Rules are agency directives, standards, regulations, or statements of general applicability that implement, interpret or prescribe law or policy, or that describe the procedure or practice requirements of an agency. Rules are created by any state board, commission, department, or officer authorized to make rules or issue orders. Agencies may adopt, amend, repeal or renumber rules, either permanently or temporarily. State law requires agencies to involve the public in the drafting of administrative rules (ORS 188.133). An agency may appoint an advisory committee to represent the interests of persons likely to be affected by a proposed rule, or use other means of obtaining public input in the rule development process. If an agency appoints an advisory committee, the agency must seek its recommendation as to whether the rule will have a fiscal impact, the extent of the fiscal impact, and whether the rule will have a significant adverse impact on small businesses.

House Bill 4052 establishes the Small Business Rules Advisory Committee to serve as an advisory committee for agencies adopting new administrative rules and to review the effectiveness of existing administrative rules.