

HB 2993 A STAFF MEASURE SUMMARY

Joint Committee On Ways and Means

Prepared By: Kim To, Fiscal Analyst

Meeting Dates: 6/7

WHAT THE MEASURE DOES:

- Adds a statement identifying how adoption of the rule will affect racial equity in Oregon to list of materials that must be included in a notice prior to adoption, amendment or repeal of any administrative rule.
- Requires that if an agency convenes rulemaking or fiscal impact advisory committee, the membership of the committee must represent the interests of person and communities affected by the rule.
- Specifies that an agency may not appoint an officer, employee, or other agent of the agency to serve as a member of the rulemaking or fiscal impact advisory committee.

These requirements apply to notices of intent to adopt rules filed on or after January 1, 2022.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

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.

Agencies are required to involve the public in the drafting of administrative rules. 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. If an agency does not appoint an advisory committee and 10 or more persons object to the statement of fiscal impact, the agency must appoint a fiscal impact advisory committee to provide fiscal impact recommendations.