

## HB 2993 A STAFF MEASURE SUMMARY

### House Committee On Rules

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**Action Date:** 04/08/21

**Action:** Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

**Vote:** 7-0-0-0

**Yeas:** 7 - Bonham, Drazan, Fahey, Holvey, Salinas, Smith Warner, Zika

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**Meeting Dates:** 3/2, 4/6, 4/8

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#### WHAT THE MEASURE DOES:

Requires membership of a rules advisory committee or fiscal impact advisory committee to represent the interests of persons and communities likely to be affected by the rule. Requires agency to include in rulemaking notice a statement identifying how adoption of rule will affect racial equity in the state. Applies to notices of intent to adopt rules filed on or after January 1, 2022.

#### ISSUES DISCUSSED:

- Intent of requirement and applicability to state agencies
- Rules advisory committee processes and requirements
- How to involve affected individuals and communities in rulemaking process

#### EFFECT OF AMENDMENT:

Replaces the measure.

#### 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.

House Bill 2993 A requires rules advisory or fiscal impact advisory committees to include members that represent the interests of affected persons and communities and requires the agency to include in its rulemaking notice a statement identifying how adoption of rule will affect racial equity.