

A-Engrossed House Bill 4021

Ordered by the House February 18
Including House Amendments dated February 18

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of House Interim Committee on Rules for Representative Ben Bowman)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act changes the effective date and notice given for some agencies' rules. The Act tells some agencies to let people know where to ask questions about the agencies' rules. (Flesch Readability Score: 67.5).

[Digest: The Act tells some agencies to use only some effective dates for rules. The Act changes the notice requirements for some agencies' rules. The Act tells some agencies to give the name of a person at the agency who knows about the agencies' rules on the website. (Flesch Readability Score: 65.5).]

[Requires certain agencies to make adoption, amendment or repeal of administrative rules effective only on January 1, April 1, July 1 or October 1.] Modifies **effective date and** notice requirements for **certain permanent** rules adopted, amended or repealed by certain agencies.

Requires certain agencies to make available on the agency's website contact information for *[a person at the agency who is knowledgeable]* **questions** about each rule adopted, amended or repealed.

Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

Relating to administrative rules; and prescribing an effective date.

Whereas state agencies routinely adopt administrative rules that impose new compliance obligations or expose regulated entities to penalties for noncompliance; and

Whereas under current law, most administrative rules become effective immediately upon filing with the Secretary of State unless a later effective date is specified; and

Whereas the immediate effectiveness of new rules may not provide regulated entities sufficient time to understand, implement and comply with new requirements after they have been finalized; now, therefore,

Be It Enacted by the People of the State of Oregon:

SECTION 1. Sections 2 and 3 of this 2026 Act are added to and made a part of ORS chapter 183.

SECTION 2. (1) This section applies to the following agencies:

(a) The Department of Environmental Quality.

(b) The Department of Transportation.

(c) The Department of State Lands.

(d) The State Department of Geology and Mineral Industries.

(2) Notwithstanding ORS 183.355 (3), a permanent rule adopted, amended or repealed by an agency listed in subsection (1) of this section that creates or modifies compliance requirements for persons regulated by the agency may take effect no earlier than 28 days after the date the final rule is filed with the Secretary of State as provided in ORS 183.355.

(3) Notwithstanding ORS 183.335 (1), prior to the adoption, amendment or repeal of a

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 permanent rule, an agency listed in subsection (1) of this section shall give notice of its in-
2 tended action:

3 (a) In the manner established by rule adopted by the agency under ORS 183.341 (4), which
4 provides a reasonable opportunity for interested persons to be notified of the agency's pro-
5 posed action;

6 (b) In the bulletin referred to in ORS 183.360 at least 21 days prior to the date the rule
7 is filed with the Secretary of State as provided in ORS 183.355;

8 (c) At least 28 days before the date the rule is filed with the Secretary of State as pro-
9 vided in ORS 183.355, to persons who have requested notice pursuant to ORS 183.335 (8); and

10 (d) Delivered only by email, at least 49 days before the date the rule is filed with the
11 Secretary of State as provided in ORS 183.355, to the persons specified in ORS 183.335 (15).

12 (4) This section does not apply to adoption, amendment or suspension of a rule under
13 ORS 183.335 (5).

14 **SECTION 3.** The following agencies shall make available on the agency's website contact
15 information for questions about each rule adopted, amended or repealed by the agency:

16 (1) The Department of Environmental Quality.

17 (2) The Department of Transportation.

18 (3) The Department of State Lands.

19 (4) The State Department of Energy.

20 (5) The State Department of Geology and Mineral Industries.

21 **SECTION 4.** (1) Section 2 (2) of this 2026 Act applies to adoptions, amendments and re-
22 peals of rules with an effective date on or after January 1, 2027.

23 (2) Section 2 (3) of this 2026 Act applies to adoptions, amendments and repeals of rules
24 for which an agency provides notice of intended action on or after the effective date of this
25 2026 Act.

26 **SECTION 5.** This 2026 Act takes effect on the 91st day after the date on which the 2026
27 regular session of the Eighty-third Legislative Assembly adjourns sine die.
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