

HOUSE AMENDMENTS TO HOUSE BILL 4021

By COMMITTEE ON RULES

February 18

1 On page 1 of the printed bill, after line 2, insert:

2 “Whereas state agencies routinely adopt administrative rules that impose new compliance obli-
3 gations or expose regulated entities to penalties for noncompliance; and

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

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

9 Delete lines 6 through 25.

10 On page 2, delete lines 1 and 2 and insert:

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

12 “**(a) The Department of Environmental Quality.**

13 “**(b) The Department of Transportation.**

14 “**(c) The Department of State Lands.**

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

16 “**(2) Notwithstanding ORS 183.355 (3), a permanent rule adopted, amended or repealed by**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

20 “**(3) Notwithstanding ORS 183.335 (1), prior to the adoption, amendment or repeal of a**
21 **permanent rule, an agency listed in subsection (1) of this section shall give notice of its in-**
22 **tended action:**

23 “**(a) In the manner established by rule adopted by the agency under ORS 183.341 (4),**
24 **which provides a reasonable opportunity for interested persons to be notified of the agency’s**
25 **proposed action;**

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

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

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

32 “**(4) This section does not apply to adoption, amendment or suspension of a rule under**
33 **ORS 183.335 (5).”.**

34 Delete line 4 and insert “information for questions about each rule adopted.”.
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