

HOUSE BILL NO. HB0200

Administrative regulation review.

Sponsored by: Representative(s) Anderson, R., Luthi and
Parady and Senator(s) Larson

A BILL

for

1 AN ACT relating to administrative procedure; modifying
2 filing requirements for state agency rules; making
3 conforming amendments; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 16-3-103(d) (intro), 16-3-104(a) and
8 28-9-103(b) are amended to read:

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10 **16-3-103. Adoption, amendment and repeal of rules;**
11 **notice; hearing; emergency rules; proceedings to contest;**
12 **review and approval by governor.**

13

14 (d) No state agency rule or any amendment, repeal,
15 modification or revision of the rule may be filed with the
16 registrar of rules unless the rule has been submitted to

1 the governor for review and the governor has approved and
2 signed the rule. Except in the case of emergency rules and
3 rules adopted by the game and fish commission fixing
4 general hunting or fishing regulations, season or bag
5 limits or establishing hunting areas, the governor shall
6 not approve any rule until the date of receipt of the
7 legislative management council's recommendation under W.S.
8 28-9-106(a) or until forty (40) days after the rule is
9 filed with the legislative service office pursuant to W.S.
10 28-9-103(b), whichever is sooner. During the process of
11 approving rules, the governor may disapprove any portion of
12 a rule not conforming to paragraphs (d)(i), (ii) or (iii)
13 of this section by clearly indicating the portion of the
14 rule disapproved and the basis for the disapproval. Only
15 those portions of a rule approved by the governor shall be
16 filed with the registrar of rules as provided by W.S.
17 16-3-104(a). Any portion of a rule disapproved by the
18 governor shall be returned to the agency and shall be null
19 and void and shall not be filed, implemented or enforced.
20 The governor shall report his disapproval of any rule or
21 portion thereof to the management council within fifteen
22 (15) days. The governor shall not approve any rule or any
23 amendment, repeal, modification or revision of the rule
24 unless it:

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2 **16-3-104. Filing of copies of rules; permanent**
3 **register; effective dates; manner of preparation; advice**
4 **and assistance of attorney general.**

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6 (a) Each agency shall file in the office of the
7 registrar of rules a certified copy of each rule adopted by
8 it as approved by the governor. State agencies shall file
9 each rule within sixty (60) days of the date of agency
10 action adopting the rule or it is not effective. Except
11 for emergency rules and rules adopted by the game and fish
12 commission fixing general hunting or fishing regulations,
13 season or bag limits or establishing hunting areas, no
14 state agency shall file a rule in the office of the
15 registrar of rules sooner than forty (40) days after filing
16 the rule with the legislative service office pursuant to
17 W.S. 28-9-103(b). There shall be noted upon the rule a
18 citation of the authority by which it or any part of it was
19 adopted. The registrar of rules shall keep a permanent
20 register of the rules open to public inspection. Not more
21 than ten (10) days after a state agency files a copy of a
22 rule in the office of the registrar of rules, the agency
23 shall mail a notice that the rule has been filed to each
24 person who was sent a notice under W.S. 16-3-103(a)(i).

1 The notice shall contain a citation to the rule and the
2 date it was filed. Failure to send the notice required
3 under this subsection does not affect the effectiveness of
4 the rule.

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6 **28-9-103. Submission of rules for review; notice to**
7 **legislators.**

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9 (b) An agency shall submit copies of adopted, amended
10 or repealed rules to the legislative service office for
11 review pursuant to W.S. 28-9-104 within ~~ten (10)~~ five (5)
12 days after the date of the agency's final action adopting,
13 amending or repealing those rules.

14

15 **Section 2.** This act is effective immediately upon
16 completion of all acts necessary for a bill to become law
17 as provided by Article 4, Section 8 of the Wyoming
18 Constitution.

19

20 (END)