



SF0127

Administrative rules-legislative review.

Sponsored By: Senator(s) Boner, Crago, Driskill, Hicks, Hutchings, Kolb and Steinmetz and Representative(s) Andrew, Banks, Davis, Filer, Heiner, Lawley and Neiman

AN ACT relating to administrative procedure; requiring the completion of economic analyses for administrative rules; amending the process for legislative review and notice of rules; making conforming amendments; specifying applicability; providing an appropriation; and providing for effective dates.

1/16/2025 Bill Number Assigned
1/17/2025 S Received for Introduction
1/21/2025 S Introduced and Referred to S02 - Appropriations
1/24/2025 :Refer to S05 - Agriculture
1/28/2025 S05 - Agriculture:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Crago, French, Ide, Mckeown, Taliaferro Pearson
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/28/2025 :Rerefer to S02 - Appropriations
1/30/2025 S02 - Appropriations:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Driskill, Gierau, Laursen, Salazar, Smith
Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/30/2025 S Placed on General File

SF0127SS001/ADOPTED (CORRECTED COPY)

Page 4-lines 1 through 11 Delete entirely, renumber as necessary and insert:

"(b) A major agency rule may take effect upon submission of the major agency rule to the legislature in accordance with this section, provided that the rule shall only remain in effect if the rule is ratified by the legislature in accordance with subsection (a) of this section."

Page 4-line 13 Delete "(d)" and insert "(c)".

Page 4-line 14 After "ratify" insert "by the time specified in subsection (a) of this section".

Page 4-lines 17 through 23 Delete entirely.

Page 5 Delete entirely.

Page 6-lines 1 through 7 Delete entirely.

Page 6-line 9 Delete "(g)" and insert "(d)".

Page 7-lines 5 through 14 Delete entirely.

Page 11-line 5 Delete "sixty (60)" and insert "fifty (50)".

Page 11-line 12 Delete "sixty".

Page 11-line 13 Delete "(60)" and insert "fifty (50)".

Page 14-line 2 Delete "No major agency".

Page 14-lines 3 and 4 Delete entirely and insert "A major agency rule shall be effective subject to ratification by the legislature under W.S. 16-3-103.1.".

Page 18-line 11 Delete "in accordance with" and insert "subject to ratification under". FRENCH, CHAIRMAN

SF0127SW001/ADOPTED

Page 4-lines 1 through 11 In the Senate standing committee amendment (SF0127SS001/A) to these lines, in subsection (b) created by that amendment, delete "A major agency rule may take effect" and insert "Unless another effective date is specified in the major agency rule, a major agency rule shall take effect". BONER, FRENCH

2/3/2025 S COW:Passed
2/4/2025 S 2nd Reading:Passed
2/5/2025 S 3rd Reading:Laid Back
2/6/2025 S 3rd Reading:Laid Back

SF0127S3001/ADOPTED

Delete the Senate standing committee amendment (SF0127SS001/AC) and the Boner, et al. committee of the whole amendment (SF0127SW001/A) entirely and further amend as follows:

Page 1-above line 1 In the catch title, delete "and objection".

Page 1-lines 1 through 7 Delete entirely and insert:

"AN ACT relating to administrative procedure; requiring the completion of economic analyses for administrative rules; amending the process for legislative review and notice of rules; making conforming amendments; specifying applicability; providing an appropriation; and providing for effective dates.".

Page 1-line 11 Delete "16-3-103.1 and"; delete "are" and insert "is".

Pages 2 through 6 Delete entirely.

Page 7-lines 1 through 14 Delete entirely.

Page 7-line 16 Delete "**Major**".

Page 7-line 20 Delete "to management council for management".

Page 7-line 21 Delete entirely and insert "in accordance with this section.".

Page 8-line 1 Delete "may be a major agency rule" and insert "submitted under this act".

Page 8-line 6 Delete "major agency".

Page 8-line 13 Delete "that".

Page 8-line 14 Delete line through "section".

Page 10-lines 16 through 23 Delete entirely and insert:

"(d) Upon completing a regulatory impact analysis, the chief economist shall provide the analysis to each member of the legislature and shall make the analysis available to the public."

Page 11-lines 2 through 14 Delete entirely, renumber as necessary and insert:

"(e) The chief economist shall complete each regulatory analysis not later than fifty (50) days after the rule was submitted for review under W.S. 28-9-103(b)."

Page 11-line 18 Delete "or other".

Page 11-line 19 Delete "proposed rule".

Page 11-line 22 Delete "major".

Page 11-line 23 Delete "agency".

Page 12-lines 5 through 21 Delete entirely.

Pages 13 through 21 Delete entirely.

Page 22-lines 1 through 7 Delete entirely and insert:

"**Section 2.** W.S. 28-8-103, 28-9-101(a)(iv), 28-9-103(d) and by creating a new subsection (e), 28-9-104(a)(intro) and 28-9-107(a) are amended to read:

28-8-103. Director and staff.

The management council shall appoint by majority vote a director of the office. The director, subject to the prior approval of the management council, may appoint assistant directors. The director shall appoint such professional, technical and clerical staff as necessary to perform the functions assigned to the office. The director shall appoint a chief economist to perform the functions assigned under W.S. 28-9-109. The director and staff shall be selected without reference to political affiliation and shall serve at the pleasure of the appointing authority. They shall be paid salaries and receive necessary expenses as determined by the management council.

28-9-101. Definitions.

(a) As used in this act:

(iv) "This act" means W.S. 28-9-101 through ~~28-9-108~~ 28-9-109.

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

(d) Upon receipt of an agency's notice to adopt new rules pursuant to W.S. 16-3-103(a)(i), the legislative service office shall give notice to the

primary sponsor of the legislation, to members of the interim or standing committee which sponsored or acted upon the legislation authorizing the new rules and to ~~any~~every other legislator. ~~requesting notification.~~ The notice given by the legislative service office shall state a copy of the rules will be sent if requested. Notice under this subsection is not required for persons not currently serving in the legislature.

(e) Upon receipt of an agency's notice to adopt rules under W.S. 16-3-103(a)(i), the legislative service office shall give notice to each legislator.

28-9-104. Review procedure; time for review; criteria for review.

(a) The legislative service office shall review rules submitted under W.S. 28-9-103(b) and report its findings to the council. The legislative service office shall review new rules and include therein any comments from the primary sponsor of the legislation, the chairman of the interim or standing committee which sponsored or acted upon the legislation authorizing the new rules and any other legislator submitting comments, and shall report their findings to the council. The legislative service office shall review all rules in accordance with W.S. 28-9-109. The report required under this subsection shall be submitted to the council:

28-9-107. Legislative orders; action required; implementation and enforcement of rules.

(a) If the council determines that a rule submitted for review under W.S. 28-9-103(b) does not satisfy one (1) or more of the criteria of W.S. 28-9-104(c), or if the council deems it appropriate after reviewing the results of the analysis completed under W.S. 28-9-109, the council may introduce legislation in the next succeeding legislative session following the review to obtain a legislative order to prohibit the implementation or enforcement of the rule.". BONER

2/7/2025 S 3rd Reading:Passed 25-6-0-0-0

ROLL CALL

Ayes: Senator(s) Biteman, Boner, Brennan, Cooper, Crago, Crum, Driskill, French, Gierau, Hicks, Hutchings, Ide, Jones, Kolb, Landen, Laursen, Mckeown, Nethercott, Olsen, Pappas, Pearson, Salazar, Schuler, Smith, Steinmetz

Nays: Senator(s) Anderson, Barlow, Case, Dockstader, Rothfuss, Scott

Ayes 25 Nays 6 Excused 0 Absent 0 Conflicts 0

2/7/2025 H Received for Introduction

2/10/2025 H Introduced and Referred to H07 - Corporations

2/18/2025 H07 - Corporations:Recommend Amend and Do Pass 8-1-0-0-0

ROLL CALL

Ayes: Representative(s) Brown, Hoeft, Johnson, Knapp, Locke, Lucas, Webb, Webber

Nays: Representative Yin

Ayes 8 Nays 1 Excused 0 Absent 0 Conflicts 0

2/18/2025 :Rerefer to H02 - Appropriations

2/19/2025 H02 - Appropriations:Recommend Do Pass 7-0-0-0-0

ROLL CALL

Ayes: Representative(s) Allemand, Angelos, Bear, Haroldson, Pendergraft, Sherwood, Smith

Ayes 7 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/19/2025 H Placed on General File

SF0127HS001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 2 Before "administrative" insert "major".

Page 1-line 5 After "applicability;" insert "requiring a study and a report;"; after "appropriation;" insert "authorizing additional positions;".

Page 2-line 1 Delete "chief economist of the".

Page 2-line 2 Before "rule" insert "major".

Page 2-line 5 After "each" insert "major"; delete "that".

Page 2-line 6 Delete "chief economist" and insert "legislative service office".

Page 2-line 9 Before "rule was" insert "major"; after "provide the" insert "major".

Page 2-line 14 Delete "subsections (c) and (d)" and insert "subsection (c)".

Page 2-line 17 Before "rule" insert "major".

Page 2-line 20 Before "rule" insert "major".

Page 2-line 21 Before "rule" insert "major".

Page 3-line 2 Before "rule" insert "major".

Page 3-line 5 Before "rule" insert "major".

Page 3-line 8 Before "rule" insert "major".

Page 3-line 11 Before "rule" insert "major".

Page 3-line 17 Before "rule" insert "major".

Page 3-line 20 Before "rule" insert "major".

Page 4-line 7 Delete "must" and insert "shall".

Page 4-line 15 Delete "director or" and insert "legislative service office".

Page 4-line 16 Delete "chief economist".

Page 4-line 17 Before "rule" insert "major".

Page 4-line 20 Delete "chief economist" and insert "legislative service office".

Page 5-line 1 Delete "chief economist" and insert "legislative service office".

Page 5-line 3 Before "rule" insert "major".

Page 5-line 6 Delete "chief economist" and insert "legislative service office".

Page 5-line 7 Before "rule" insert "major".

Page 5-line 9 Delete "chief economist" and insert "legislative service office".

Page 5-line 10 Before "rule" insert "major".

Page 5-line 13 Delete "chief economist" insert "legislative service office".

Page 5-after line 14 Insert:

"(h) "Major rule" means a rule, including an emergency rule, designated by management council under W.S. 28-9-109 that will result in or is likely to result in one (1) or more of the following:

(i) An annual impact on the economy of Wyoming that will result in direct or indirect costs of not less than one hundred thousand dollars (\$100,000.00);

(ii) Significant adverse effects on competition, employment, investment, productivity or innovation in the state, including significant adverse effects on individual industries or regions within Wyoming;

(iii) Significant changes in social and cultural relations among citizens, including significant impacts on particular religious, ethnic, racial or gender populations.".

Page 5-line 16 Delete "28-8-103,".

Page 5-line 18 Delete "28-9-107(a)" and insert "28-9-107 by creating a new subsection (d)".

Page 5-lines 20 through 23 Delete entirely.

Page 6-lines 1 through 10 Delete entirely.

Page 8-line 4 Before "rules" insert "major".

Page 8-lines 11 through 18 Delete entirely, renumber as necessary and insert:

"(d) If the council, management audit committee, a joint interim committee or any legislator determines that it is appropriate after reviewing the results of the analysis completed under W.S. 28-9-109, the council, a joint interim committee or any legislator may introduce legislation in the next succeeding legislative session following the completion of the analysis to

obtain a legislative order to prohibit the implementation or enforcement of the major rule."

Page 8-after line 22 Insert the following and renumber as necessary:

"**Section 4.** During the 2025 interim, the management audit committee of the Wyoming legislature shall study this act and its relation to existing statutory provisions concerning the legislative role in the administrative rule review process. The management audit committee shall receive all assistance requested from the legislative service office and executive branch agencies while conducting the study required by this section. Not later than December 1, 2025, the management audit committee shall report to the management council on the conclusion of the study required by this section. The report shall include, but not necessarily be limited to, the appropriate legislative role in overseeing administrative rules and the regulatory impact thereof, the legislative staff required to assist the legislature in completing this role, which legislative body should oversee this role when the legislature is not in session and any statutory changes necessary to effectuate the findings in the report. The management audit committee or management council may sponsor legislation during the 2026 budget session to effectuate the findings of the report. Funding for legislative staff necessary to effectuate the findings of the report required by this section may be included in the 2025 legislative appropriations bill."

Page 9-line 1 Delete "**Section 4.**" and insert "**Section 5.**".

Page 9-line 17 Delete "**Section 5.**" and insert "**Section 6.**".

Page 10-line 1 Delete "4 and 5" and insert "3 through 6". KNAPP,
CHAIRMAN

2/21/2025 H COW:Passed