

SENATE FILE NO. 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

A BILL

for

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

7

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

9

10 **Section 1.** W.S. 28-9-109 is created to read:

11

12 **28-9-109. Agency rules; analysis and review.**

13

1           (a) The chief economist of the legislative service  
2 office shall review each rule submitted under this act and  
3 report the review in accordance with this section.

4

5           (b) For each rule that submitted under this act, the  
6 chief economist shall:

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8                   (i) Not later than fifteen (15) days after the  
9 rule was submitted under W.S. 28-9-103(b), provide the rule  
10 to each member of the legislature;

11

12                   (ii) Not later than the time specified in  
13 subsection (e) of this section, complete a regulatory  
14 impact analysis in accordance with subsections (c) and (d)  
15 of this section.

16

17           (c) Each regulatory impact analysis of a rule shall  
18 include:

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20                   (i) A statement of need for the rule, provided  
21 by the agency promulgating the rule;

22

1           (ii) The statutory authority for the  
2 promulgation of the rule;

3

4           (iii) An examination of alternatives to the  
5 enactment of the rule;

6

7           (iv) An evaluation of the costs and benefits for  
8 the rule, including:

9

10           (A) Estimated primary or direct benefits  
11 accruing as a result of the rule;

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13           (B) Estimated cost savings or financial  
14 benefits to the state and its residents and businesses;

15

16           (C) Estimated compliance costs for  
17 regulated entities subject to the rule;

18

19           (D) Estimated secondary or indirect costs  
20 associated with the rule;

21

22           (E) Estimated effect on state revenue;

23

1                   (F) Estimated effect on state expenditures,  
2 including estimated administrative expenses;

3

4                   (G) Estimated opportunity costs. For  
5 purposes of this subparagraph, the cost of compliance in  
6 terms of any resulting removal of private capital from the  
7 market must be included in the analysis;

8

9                   (H) The sources consulted to complete the  
10 analysis;

11

12                   (J) Key assumptions made and sources of  
13 uncertainty with the analysis;

14

15                   (K) Any other information the director or  
16 chief economist determines would be beneficial for  
17 legislative consideration of the rule.

18

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

23

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

4

5           (f) To the extent resources are available, the  
6 council may direct the chief economist to perform a  
7 regulatory impact analysis for any existing rule.

8

9           (g) The chief economist may request any information,  
10 expertise or assistance from an agency promulgating a rule.  
11 Upon receiving a request under this subsection, the agency  
12 shall provide all information and assistance necessary for  
13 the chief economist to complete the regulatory impact  
14 analysis required under this section.

15

16           **Section 2.** W.S. 28-8-103, 28-9-101(a)(iv),  
17 28-9-103(d) and by creating a new subsection (e),  
18 28-9-104(a)(intro) and 28-9-107(a) are amended to read:

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20           **28-8-103. Director and staff.**

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22 The management council shall appoint by majority vote a  
23 director of the office. The director, subject to the prior

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

11

12 **28-9-101. Definitions.**

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14 (a) As used in this act:

15

16 (iv) "This act" means W.S. 28-9-101 through  
17 ~~28-9-108~~ 28-9-109.

18

19 **28-9-103. Submission of rules for review; notice to**  
20 **legislators.**

21

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

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

10

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

14

15 **28-9-104. Review procedure; time for review; criteria**  
16 **for review.**

17

18 (a) The legislative service office shall review rules  
19 submitted under W.S. 28-9-103(b) and report its findings to  
20 the council. The legislative service office shall review  
21 new rules and include therein any comments from the primary  
22 sponsor of the legislation, the chairman of the interim or  
23 standing committee which sponsored or acted upon the

1 legislation authorizing the new rules and any other  
2 legislator submitting comments, and shall report their  
3 findings to the council. The legislative service office  
4 shall review all rules in accordance with W.S. 28-9-109.

5 The report required under this subsection shall be  
6 submitted to the council:

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8 **28-9-107. Legislative orders; action required;**  
9 **implementation and enforcement of rules.**

10

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

19

20 **Section 3.** This act shall apply to all rules for  
21 which notice is given under W.S. 16-3-103(a)(i) on and  
22 after July 1, 2026.

23

1           **Section 4.**

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3           (a) There is appropriated four hundred thousand  
4 dollars (\$400,000.00) from the general fund to the  
5 legislative service office for the purposes of hiring not  
6 more than two (2) full time equivalent employees to perform  
7 the functions specified in this act. Notwithstanding W.S.  
8 9-2-1008, 9-2-1012(e) and 9-4-207, this appropriation shall  
9 remain in effect and shall not lapse or revert at the end  
10 of the fiscal biennium except upon further legislative  
11 action.

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13           (b) The legislative service office may take any  
14 action necessary to implement this act before July 1, 2026,  
15 including the hiring of positions to implement this act.

16

17           **Section 5.**

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19           (a) Except as provided in subsection (b) of this  
20 section, this act is effective July 1, 2026.

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1           (b) Sections 4 and 5 of this act are effective  
2 immediately upon completion of all acts necessary for a  
3 bill to become law as provided by Article 4, Section 8 of  
4 the Wyoming Constitution.

5

6

(END)