

SENATE FILE NO. SF0063

Administrative rules-legislative review.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to administrative procedure; requiring
2 agencies to provide notice of major rules as specified;
3 clarifying the definition of major rule; requiring
4 rulemaking; and providing for an effective date.

5

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

7

8 **Section 1.** W.S. 16-3-103(a)(i) by creating a new
9 subparagraph (M) and (f) and 28-9-109(h)(intro) and (i) are
10 amended to read:

11

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

15

1 (a) Prior to an agency's adoption, amendment or
2 repeal of all rules other than interpretative rules or
3 statements of general policy, the agency shall:

4
5 (i) Give at least forty-five (45) days notice of
6 its intended action. Notice shall be mailed to all persons
7 making timely requests of the agency for advanced notice of
8 its rulemaking proceedings and to the attorney general, the
9 secretary of state's office as registrar of rules, and the
10 legislative service office if a state agency. The agency
11 shall submit a copy of the proposed rules, in a format
12 conforming to any requirements prescribed pursuant to
13 subsection (f) of this section, with the notice given to
14 the legislative service office. The notice shall include:

15
16 (M) If the rules are major rules as defined
17 in W.S. 28-9-109(h), a statement that the rules are major
18 rules, a statement of need for the major rule and any
19 additional information necessary for the regulatory
20 analysis required by W.S. 28-9-109.

21
22 (f) The state registrar of rules shall:
23

1 (i) Prescribe a format for state agencies to
2 follow in preparing proposed amendments to existing rules
3 which shall ensure that additions to and deletions from
4 existing language are clearly indicated;~~;~~

5
6 (ii) Adopt rules necessary to ensure that state
7 agencies provide information necessary for the regulatory
8 analysis required by W.S. 28-9-109 and as specified in
9 subparagraph (a) (i) (M) of this section.

10
11 **28-9-109. Agency rules; analysis and review.**

12
13 (h) "Major rule" means a rule,~~including an emergency~~
14 ~~rule, designated by management council under W.S. 28-9-109~~
15 that will result in or is likely to result in one (1) or
16 more of the following:

17
18 (i) An annual impact on the economy of Wyoming
19 that will result in direct or indirect costs of not less
20 than ~~one million dollars (\$1,000,000.00)~~ two hundred
21 thousand dollars (\$200,000.00) per year;

