

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

**Offered By**

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 27, Page 77, Section 483.245, Line 40, by inserting after all of said section and line  
3 the following:  
4

5 "536.175. 1. Each state agency shall periodically review all of its rules according to the  
6 following review schedule:

7 (1) Rules contained in titles 1 through 6 of the code of state regulations shall begin the  
8 review process no later than July 1, 2015, and every five years thereafter;

9 (2) Rules contained in titles 7 through 10 of the code of state regulations shall begin the  
10 review process no later than July 1, 2016, and every five years thereafter;

11 (3) Rules contained in titles 11 through 14 of the code of state regulations shall begin the  
12 review process no later than July 1, 2017, and every five years thereafter;

13 (4) Rules contained in titles 15 through 19 of the code of state regulations shall begin the  
14 review process no later than July 1, 2018, and every five years thereafter; and

15 (5) Rules contained in titles 20 and higher of the code of state regulations shall begin the  
16 review process no later than July 1, 2019, and every five years thereafter.

17 2. The joint committee on administrative rules shall cause a notification of agency review to  
18 be published in the Missouri Register indicating rules being reviewed under this section and shall  
19 contain:

20 (1) Which titles of the code of state regulations will be under review;

21 (2) A notice that anyone may file comments concerning the rules being reviewed no later  
22 than sixty days after publication of the notice in the Missouri Register;

23 (3) A notice that all comments must identify the commenter, must specify the rule being  
24 commented upon, and must contain comments directly associated to that rule;

25 (4) A listing of agency designee assigned to receive comments on rules under review.

26 3. State agencies shall provide the joint committee on administrative rules contact  
27 information for the agency designee assigned to receive comments under subsection 2 of this  
28 section.

29 4. Each agency with rules being reviewed shall prepare a report containing the results of its  
30 periodic rule review. The report shall consider and include the following:

31 (1) Whether the rule continues to be necessary, taking into consideration the purpose, scope,  
32 and intent of the statute under which the rule was adopted;

33 (2) Whether the rule is obsolete, taking into consideration the length of time since the rule  
34 was modified and the degree to which technology, economic conditions, or other relevant factors  
35 have changed in the subject area affected by the rule;

36 (3) Whether the rule overlaps, duplicates, or conflicts with other state rules, and to the

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1 extent feasible, with federal and local governmental rules;

2 (4) Whether a less restrictive, more narrowly tailored, or alternative rule could adequately  
3 protect the public or accomplish the same statutory purpose;

4 (5) Whether the rule needs amendment or rescission to reduce regulatory burdens on  
5 individuals, businesses, or political subdivisions or eliminate unnecessary paperwork;

6 (6) Whether the rule incorporates a text or other material by reference and, if so, whether the  
7 text or other material incorporated by reference meets the requirements of section 536.031;

8 (7) For rules that affect small business, the specific public purpose or interest for adopting  
9 the rules and any other reasons to justify its continued existence; and

10 (8) The nature of the comments received by the agency under subsection 2 of this section, a  
11 summary of which shall be attached to the report as an appendix and shall include the agency's  
12 responses thereto.

13 5. Each agency with rules subject to review shall cause their report to be filed electronically  
14 with the joint committee on administrative rules and the small business regulatory fairness board no  
15 later than June thirtieth of the year after publication of agency review in the Missouri Register under  
16 subsection 2 of this section. The reports shall also be made available on the state agency's website.  
17 If the state agency fails to file the report as required by this section for any rule and has not received  
18 an extension for good cause from the joint committee on administrative rules, the joint committee  
19 on administrative rules shall notify the secretary of state to publish a notice as soon as practicable in  
20 the Missouri Register as to which rules the delinquency exists. The rule shall be void and of no  
21 further effect after the first sixty legislative days of the next regular session of the general assembly  
22 unless the state agency corrects the delinquency by providing the required review within ninety days  
23 after publication. Upon determination that the agency has complied with the requirements of this  
24 section regarding any delinquency that resulted in notice being published, the joint committee on  
25 administrative rules shall notify the secretary of state to remove the rule from the notice of rules  
26 scheduled to become null and void.

27 6. Any rule or regulation created after June 30, 2022, shall have an automatic sunset date of  
28 four years after the rule or regulation is approved.

29 7. Any rule or regulation reviewed under subsection 1 of this section after June 30, 2022,  
30 shall have an automatic sunset date of four years after the review is completed and the report in  
31 subsection 5 of this section is filed.

32 8. Permanent rules or regulations may be established by action of the general assembly."  
33 and

34  
35 Further amend said bill by amending the title, enacting clause, and intersectional references  
36 accordingly.