

FIRST REGULAR SESSION

HOUSE BILL NO. 884

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE CUPPS.

1270H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 536, RSMo, by adding thereto one new section relating to administrative rules.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 536, RSMo, is amended by adding thereto one new section, to be
2 known as section 536.203, to read as follows:

**536.203. 1. If the fiscal notes required by sections 536.200 and 536.205 exceed an
2 estimated combined cost over two hundred fifty thousand dollars in the aggregate, the
3 proposed rule shall not take effect until the ratification or disapproval by the general
4 assembly either by bill or by concurrent resolution in accordance with the provisions of
5 Article IV, Section 8 of the Constitution of Missouri.**

**6 2. Any state agency filing a notice of proposed rulemaking that contains fiscal
7 notes required by sections 536.200 and 536.205 exceeding an estimated combined cost
8 over two hundred fifty thousand dollars in the aggregate shall submit such notice to the
9 joint committee on administrative rules, as required by sections 536.024 and 536.028, no
10 later than thirty days prior to the next regular session of the general assembly. The joint
11 committee on administrative rules shall hold in abeyance or suspend the order of
12 rulemaking. The joint committee on administrative rules shall submit the proposed rule
13 to the members of the general assembly as soon as practicable.**

**14 3. If the general assembly does not ratify a proposed rule that has been held in
15 abeyance or suspended pursuant to this section by bill or concurrent resolution in
16 accordance with the provisions of Article IV, Section 8 of the Constitution of Missouri,
17 the state agency shall not file the order of rulemaking for such proposed rule with the**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 secretary of state and the secretary of state shall not publish any final order of
19 rulemaking for such proposed rule in the Missouri Register.

20 4. No rule or portion of a rule promulgated under the authority of this chapter
21 shall become effective until it has been ratified by the general assembly in accordance
22 with the procedures provided for in this section.

23 5. Upon adoption of such bill or concurrent resolution as provided in this
24 section, the secretary of state shall not publish the order of rulemaking until the
25 expiration of time necessary for such bill or resolution to be signed by the governor, or
26 vetoed and subsequently acted upon by the general assembly under Article III, Section
27 32 of the Constitution of Missouri. If such bill or concurrent resolution is adopted and
28 signed by the governor or otherwise reconsidered under Article III, Section 32 of the
29 Constitution of Missouri, the secretary of state shall publish in the Missouri Register, as
30 soon as practicable, the order of rulemaking along with notice of ratification by the
31 general assembly.

32 6. Except as provided in section 536.025, any rule, or amendment or rescission
33 thereof, shall be null, void, and unenforceable unless made in accordance with the
34 provisions of this section.

✓