

HB 664 -- ADMINISTRATIVE RULES

SPONSOR: Keathley

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Government Efficiency by a vote of 13 to 0 with 1 present.

This bill establishes a new process by which administrative rules are to be enacted. Under the provisions of this bill, rules enacted by State agencies must first be approved by the General Assembly before becoming effective.

The Joint Committee on Administrative Rules (JCAR) will have the authority to examine and temporarily halt all proposed rules until ratified by both the Senate and the House of Representatives. When a proposed rule is filed with the Secretary of State, the filing agency must also submit it to JCAR. The Committee then has the authority to hold hearings on any proposed rule at any time. However, the final order of rulemaking cannot be filed with the Secretary of State until 30 days after the Committee has received it, with some exceptions as specified in the bill.

If a fiscal note for a proposed rule estimates costs exceeding \$250,000, JCAR can suspend the rulemaking process before the final order is filed. If the General Assembly disapproves of a proposed rule, the filing agency cannot submit it to the Secretary of State for publication in the Missouri register. The General Assembly can approve proposed rules through a concurrent resolution. After approval by the General Assembly, the Secretary of State can publish the rule, subject to the Governor's signature or veto. Rules that do not comply with this process be null, void, and unenforceable.

This bill is the same as HB 2554 (2024).

PROPOSERS: Supporters say that no matter what party is in the majority it is good policy to reign in administrative non-elected members. Often administration has too much latitude given and the legislative impact is either muted or enhanced without a voice for the taxpayer. Missouri is one of the most regulated states and this language will add to the public awareness that is often lacking when rule changes are adopted.

Testifying in person for the bill were Representative Keathley; Pacific Legal Foundation; Barry Goldwater Institute for Public Policy Research; James Harris, FGA Action; and Americans For Prosperity.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.