

SECOND REGULAR SESSION

HOUSE BILL NO. 2406

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LOY.

6084H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 536, RSMo, by adding thereto two new sections 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 two new sections, to be known as sections 536.180 and 536.185, to read as follows:

536.180. 1. Any state agency filing a notice of proposed rulemaking, as required by section 536.021, wherein the adoption, amendment, or rescission of the rule would, as determined by the fiscal note required under this chapter, require or result in an expenditure of public funds by that agency, any other state agency, or any political subdivision of the state in excess of two hundred fifty thousand dollars per year, or would require or result in an expenditure of money by or a reduction in income for individuals or businesses in excess of two hundred fifty thousand dollars per year shall, in addition to the requirements of section 536.200, file notification with the joint committee on administrative rules of such proposed rule. The committee may hold hearings on any proposed rule or portion thereof at any time. A final order of rulemaking shall not be filed with the secretary of state until at least thirty days after such final order of rulemaking has been received by the committee.

2. Any proposed rule subject to the provisions of this section shall not be subject to section 536.021 and shall not become effective until the provisions of this section have been satisfied.

3. A proposed rule subject to the provisions of this section shall not become effective unless and until the general assembly adopts a concurrent resolution in

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 accordance with the provisions of Article IV, Section 8 of the Missouri Constitution to
19 approve such proposed rule.

20 4. Upon adoption of such concurrent resolution as provided in subsection 3 of
21 this section, the secretary of state shall not publish the order of rulemaking until the
22 expiration of time necessary for such resolution to be signed by the governor or vetoed
23 and subsequently acted upon by the general assembly as provided in Article III, Section
24 32 of the Missouri Constitution. If such concurrent resolution is adopted and signed by
25 the governor or otherwise reconsidered under Article III, Section 32 of the Missouri
26 Constitution, the secretary of state shall publish in the Missouri register, as soon as
27 practicable, the order of rulemaking along with notice of the proposed rules or portions
28 thereof that were approved by the general assembly.

29 5. Except for rules adopted pursuant to section 536.025 or required to be
30 adopted to conform with federal law or for federal funding, any proposed rule shall be
31 null, void, and unenforceable unless made in accordance with the provisions of this
32 section.

 536.185. A state agency shall not file any notice of proposed rulemaking with the
2 secretary of state without first receiving from and including a copy of the written
3 approval by the governor.

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