



MISSOURI HOUSE OF REPRESENTATIVES
WITNESS APPEARANCE FORM

BILL NUMBER: HB 2559		DATE: 1/29/2026
COMMITTEE: Special Committee on Intergovernmental Affairs		
TESTIFYING: <input checked="" type="checkbox"/> IN SUPPORT OF <input type="checkbox"/> IN OPPOSITION TO <input type="checkbox"/> FOR INFORMATIONAL PURPOSES		
WITNESS NAME		
INDIVIDUAL:		
WITNESS NAME: ARNIE C. DIENOFF-STATE PUBLIC ADVOCATE		PHONE NUMBER:
BUSINESS/ORGANIZATION NAME:		TITLE:
ADDRESS:		
CITY:		STATE: ZIP:
EMAIL:	ATTENDANCE: In-Person	SUBMIT DATE: 1/29/2026 10:25 PM
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This is a Great Bill by being Transparent with Disclosure of Costs.



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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: GRAHAM OWENS		PHONE NUMBER: 571-775-5899	
BUSINESS/ORGANIZATION NAME: AMERICANS FOR PROSPERITY		TITLE:	
ADDRESS: PO BOX 94			
CITY: JEFFERSON CITY		STATE: MO	ZIP: 65102
EMAIL:	ATTENDANCE:	SUBMIT DATE: 1/29/2026 12:00 AM	
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WITNESS NAME			
BUSINESS/ORGANIZATION:			
WITNESS NAME: KILEEN LINDGREN		PHONE NUMBER: 916-273-3754	
BUSINESS/ORGANIZATION NAME: PACIFIC LEGAL FOUNDATION		TITLE: SENIOR STATE POLICY MANAGER	
ADDRESS: 3100 CLARENDON BLVD #1000			
CITY: ARLINGTON		STATE: VA	ZIP: 22201
EMAIL: klindgren@pacificlegal.org	ATTENDANCE: Written	SUBMIT DATE: 1/28/2026 6:24 PM	
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Chair Byrnes and Members of the Committee,

The Pacific Legal Foundation is a nonprofit public interest law firm that represents clients free of charge when their constitutional rights are violated. Since 1973, we have litigated over 2400 cases - including 18 wins at the United States Supreme Court. We specialize in regulatory reform, property rights, environment and natural resource issues, and equality and opportunity under the law.

Thank you for your consideration of House Bill 2559. This is a simple bill that will have a significant impact on individuals, businesses, and taxpayers in Missouri. Agencies enjoy broad authority to write, interpret, and enforce rules that have the effect of law, even though they are not lawmakers. But, unlike legislators or the governor, agency officials aren't elected and accountable to the public.

To protect individual liberty, our federal and state constitutions designate certain powers and grant limited authority to each branch - establishing checks and balances that keep government accountable. This constitutional distribution of powers requires that elected lawmakers oversee rule-making that has the effect of law on their constituents and imposes great cost on taxpayers, individuals, and businesses.

HB 2559 ensures citizens have representation in rule-making that will have a significant economic impact on individuals, businesses, and taxpayers. This bill protects taxpayers by setting a monetary threshold requiring legislative and executive engagement rule-making, -amending, and -rescission that causes a large public expenditure. Likewise, it protects individuals and businesses by setting a monetary threshold requiring legislative and executive engagement in rule-making, -amending, and -rescission that imposes a significant cost or reduction of income on individuals and businesses.

HB 2559 requires approval of major rules through the constitutional concurrent resolution process and establishes the processes by which agencies submit and publish proposed rules, including requiring the governor's signature. Note that it exempts rule-making required by federal law and/or funding. This is a commonsense, constitutional reform, and we urge your support. Thank you for your time and consideration,

Kileen Lindgren
Senior State Policy Manager



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WITNESS NAME		
REGISTERED LOBBYIST:		
WITNESS NAME: TAYLOR WALKER		PHONE NUMBER: 602-633-8965
REPRESENTING: BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH		TITLE: STATE AFFAIRS ASSOCIATE
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CITY: PHOENIX	STATE: AZ	ZIP: 32224
EMAIL: twalker@goldwaterinstitute.org	ATTENDANCE: Written	SUBMIT DATE: 1/29/2026 10:33 AM
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Chair Byrnes and Members of the House Intergovernmental Affairs Committee:

My name is Taylor Walker and I am writing to submit written testimony in support of HB 2559 on behalf of the Goldwater Institute. The Goldwater Institute works in courtrooms, capitols, and communities across the United States.

This bill would require that any rule with a fiscal impact of over \$250,000 shall not take effect unless specifically approved by the Legislature through a measure receiving a constitutional majority in each chamber. This bill would target regulations that cost taxpayers the most, aiming to ensure legislative approval for rules that significantly affect them. By returning lawmaking abilities to lawmakers, the bill ultimately allows voters to decide on the rules that govern them rather than leaving the task to unelected bureaucrats. Not only would this bill provide significant financial relief to constituents, but this revolutionary, powerful bill would return lawmaking authority back to its rightful place: with elected lawmakers.

Now, eight states -with the most recent being North Carolina- have already passed a version of the REINS Act into law. In fact, many state chambers are seeing bipartisan support for the oversight, since accountability to voters is neither an issue only for the left nor only for the right.

Adopting this bill will protect your constituents' constitutional rights and reclaim the legislative branch's sole authority to spend. We urge you to support this good bill.

Sincerely,
 Taylor Walker



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WITNESS NAME			
INDIVIDUAL:			
WITNESS NAME: SARAH BERRY		PHONE NUMBER:	
BUSINESS/ORGANIZATION NAME:		TITLE:	
ADDRESS:			
CITY:		STATE:	ZIP:
EMAIL:	ATTENDANCE: Written	SUBMIT DATE: 1/27/2026 8:59 PM	

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HB 2559 violates the Missouri Constitution by impermissibly reassigning executive authority to the legislative branch and conditioning lawful rulemaking on political approval mechanisms not authorized by the Constitution.

1. Separation of Powers Violation

Article II, §1 of the Missouri Constitution provides:

“The powers of government shall be divided into three distinct departments — the legislative, executive and judicial — and no person or collection of persons, charged with the exercise of powers properly belonging to one of those departments, shall exercise any power properly belonging to either of the others.”

Missouri courts have repeatedly held that once the legislature delegates authority, it may not retain operational control over execution of the law.

State ex rel. Missouri Coalition for the Environment v. Joint Committee on Administrative Rules, 948 S.W.2d 125 (Mo. banc 1997)

? The Missouri Supreme Court held that legislative interference with administrative rulemaking beyond constitutionally permitted oversight violates separation of powers.

State ex rel. Taylor v. Missouri State Highway Commission, 169 S.W.2d 99 (Mo. 1943)

? The legislature may set policy, but execution belongs exclusively to the executive branch once authority is delegated.

HB 2559 collapses this boundary by requiring legislative approval via concurrent resolution before a rule may take effect — a functionally executive act.

2. Unconstitutional Legislative Veto

HB 2559 creates a legislative veto mechanism by allowing the General Assembly to approve or block individual rules without enacting new legislation.

Missouri courts have rejected this structure.

Missouri Coalition for the Environment v. Joint Committee on Administrative Rules, 948 S.W.2d at 133

? The Court held that legislative committees may not suspend, delay, or prevent executive rulemaking absent bicameral passage and presentment as required by Article III.
INS v. Chadha, 462 U.S. 919 (1983)

? While federal, Missouri courts frequently cite Chadha for the principle that legislative vetoes violate separation of powers by bypassing constitutional lawmaking procedures.

Requiring a concurrent resolution to approve a rule is a textbook legislative veto — and constitutionally defective.

3. Executive Authority Cannot Be Conditioned on Political Approval

HB 2559's requirement that agencies obtain written gubernatorial approval before even filing proposed rules improperly converts executive agencies into subordinate political actors.

State ex rel. Danforth v. Cason, 507 S.W.2d 405 (Mo. banc 1973)

? Executive officers may not be stripped of statutorily assigned duties through procedural manipulation.

Bowsher v. Synar, 478 U.S. 714 (1986)

? Government functions must remain within their constitutionally assigned branch; control mechanisms that blur this boundary are unconstitutional.

Once the legislature has delegated authority by statute, it may not later impose approval chokepoints that effectively revoke that delegation without amending the statute itself.

4. Improper Interference With Statutory Mandates

Many administrative rules are required to implement existing statutes.

HB 2559 would delay or nullify those rules — even where agencies are legally obligated to act.

State ex rel. Department of Social Services v. Public Service Commission, 889 S.W.2d 740 (Mo. App. 1994)

? Agencies must be able to carry out statutory mandates without legislative obstruction beyond what the Constitution allows.

This exposes Missouri to litigation risk, regulatory paralysis, and failure to execute duly enacted laws.

5. Oversight Already Exists — This Is Control

The Missouri Constitution already provides legislative oversight through:

Appropriations (Art. III, §23)
Statutory amendment or repeal
Sunset provisions
Audits
Judicial review under Chapter 536

HB 2559 does not enhance oversight — it reclaims execution.

As the Missouri Supreme Court has made clear:
State ex rel. Mo. Growth Ass'n v. Department of Natural Resources, 102 S.W.3d 756 (Mo. banc 2003)

? Oversight must not cross into administration.

HB 2559 violates:

Article II, §1 (Separation of Powers)

Article III (Legislative Process Requirements)

Article IV (Executive Authority)

This bill is constitutionally infirm, judicially vulnerable, and structurally unsound.

It should not advance.

Missouri's Constitution does not permit governance by permission slip. (Even with 51 co-sponsors.)

-Rev. Sarah M. Berry