

GREEN SHEET REDIGEST

HB 145

2022 Regular Session

Edmonston

ADMINISTRATIVE PROCEDURE: Provides relative to rule making procedure

DIGEST

Present law provides that prior to the adoption, amendment, or repeal of any rule, the agency shall give notice of its intended action. The notice of the intent and the approved fiscal and economic impact statements shall be mailed to all persons who have made timely request of the agency for such notice. Present law requires the agency to submit a report to the appropriate standing committees of the legislature relative to such intended action on the same day the notice is submitted to the La. Register. Present law further requires the agency to submit a summary report containing specified information, including the agency's response to comments received regarding the proposal to the appropriate oversight committees. Present law further requires each agency to submit annual report of rulemaking activities to the appropriate oversight committee no later than 30 days prior to the beginning of each regular session.

Proposed law retains present law and further requires the reports to be transmitted to each member of the legislature via electronic mail.

Present law provides that no later than five days after the adoption of an emergency rule, the agency shall provide notice in writing of its emergency action along with a copy of the emergency rule. The notice shall be transmitted to the governor, the attorney general, the speaker of the House of Representatives, the president of the Senate, and the office of the state register.

Proposed law retains present law and also requires the notice to be transmitted to each member of the legislature via electronic mail.

Proposed law further requires the chief clerical officers of the legislature to maintain the appropriate electronic mail addresses to be used to satisfy the requirements of the Administrative Procedure Act that require transmittals to each member of the legislature and to oversight committees via electronic mail.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 49:953.1(B)(2)(a), and 968(B)(intro. para.), (D)(1)(b)(intro. para.) and (K)(1); Adds R.S. 49:950.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original bill:

1. Remove proposed law removing the governor's authority to disapprove any action taken by the subcommittee if such action is approved by a two-thirds vote of the members.
2. Remove the repeal of present law relative to the governor's power to suspend or veto a rule or regulation.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Add requirement that the summary report and the annual rulemaking report be sent via electronic mail to each legislator.

3. Add requirement that the chief clerical officers of the legislature maintain electronic mail addresses relative to the electronic mail requirements of the APA.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the reengrossed bill

1. Remove the repeal of present law requiring the transmittal of the report regarding intended rulemaking activity on proposals having a fiscal impact or economic impact is \$500,000 or more as indicated by the required statement of fiscal impact or statement of economic impact to be transmitted to each member of the legislature via electronic mail.