

2024 Regular Session

HOUSE BILL NO. 179

BY REPRESENTATIVE WRIGHT

ADMINISTRATIVE PROCEDURE: Requires agencies to repeal two rules for every new one proposed

1 AN ACT

2 To amend and reenact R.S. 49:961(A)(1) and (2)(a), relative to the Administrative Procedure
3 Act; to provide the procedure for the adoption of rules; to require the elimination of
4 rules when new rules are proposed; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:961(A)(1) and (2)(a) are hereby amended and reenacted to read
7 as follows:

8 §961. Procedure for adoption of rules

9 A.(1)(a) An agency shall give notice of its intention to adopt, amend, or
10 repeal any rule and a copy of the proposed rules at least ninety days prior to taking
11 action on the rule.

12 (b) If an agency is proposing to adopt a new rule, the agency shall at the
13 same time identify and give notice of its intention to repeal two rules of the agency
14 in the manner provided by this Section.

15 (2) The notice shall include all of the following:

16 (a)(i) A statement by the agency clearly describing the proposed action being
17 taken.

18 (ii) If the proposed action is the adoption of a new rule, a statement by the
19 agency identifying the two rules it intends to repeal at the same time.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 179 Original

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Wright

Abstract: Requires an agency to propose the repeal of two agency rules at the same time it proposes to adopt a new rule.

Present law, the Administrative Procedure Act, establishes procedures for the adoption of rules by executive branch agencies.

Present law provides that prior to the adoption, amendment, or repeal of any rule, the agency shall give notice of its intended action and specifies the content of the notice.

Proposed law further requires an agency proposing to adopt a new rule to, at the same time, identify and give notice of its intention to repeal two rules of the agency. Requires the agency to identify the two rules in its notice of intent for the proposed new rule.

(Amends R.S. 49:961(A)(1) and (2)(a))