

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 322** HLS 14RS 630
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

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Dept./Agy.:		Analyst: Travis McIlwain
Subject: Administrative Procedures		

ADMINISTRATIVE PROCEDURE EN INCREASE GF EX See Note Page 1 of 1
 Requires rulemaking agencies to publish on the Internet certain information concerning proposed rules and fees

Proposed bill provides for publication of certain information concerning proposed administrative rules and fees. Proposed bill provides that if agency does not have an Internet website, the oversight department shall post the information. Proposed bill provides for the following to be posted: 1.) full text of current rule or fee, 2.) copy of the proposed rule or statement, 3.) name and contact information of the person within the agency who is responsible for responding to inquiries about the proposed rule, 4.) Time, when, the place where and the manner in which interested persons may present their views concerning the proposed rule, 5.) effective date of proposed rule or fee, 6.) copy of the notice of intent, copy of report submitted to legislative oversight subcommittees, 7.) copy of any announcement of a hearing and report, 8.) copy of any report received by the agency from a legislative oversight subcommittee. Proposed bill provides that it shall not be construed to require the publication of information concerning the adoption, amendment or repeal of any rule or fee unless and until the agency gives notice of its intention pursuant to the Administrative Procedure Act (APA).

EXPENDITURES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total						

REVENUES	2014-15	2015-16	2016-17	2017-18	2018-19	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

State agencies that process a significant number of administrative rules on a monthly basis may require additional resources to administer the requirements of the proposed bill. This bill requires state agencies to publish information concerning rule making and fees on its website.

For example, the Department of Health & Hospitals (DHH) processes approximately 75 to 150 administrative rulemaking documents per month (900 to 1,800 documents annually), which would be required to be posted to the agency's website on monthly basis. DHH anticipates a need for 2 additional program monitor positions at an anticipated annual cost of approximately \$190,000 for salaries and related benefits.

Based upon the additional anticipated man hours needed to post these documents online, the Legislative Fiscal Office anticipates the need for additional overtime hours for existing staff and/or the hiring of additional other compensation staff (student workers or WAE positions), which will result in less costly personal services costs. Thus, the Legislative Fiscal Office does not believe 2 permanent TO positions will be necessary in order to post 75 to 150 documents to DHH's website monthly.

NOTE: Other state agencies that have a significant number of administrative rules that responded to the LFO (Department of Children & Family Services, Wildlife & Fisheries) do not anticipate any fiscal costs in implementing the proposed bill. However, DHH typically processes twice as many administrative rules on a monthly basis than these high volume state agencies.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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|---|----------------------------|-------|--|
| Senate | <u>Dual Referral Rules</u> | House | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} | | | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 State Rev. Reduc. {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} | | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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