

2020 Regular Session

HOUSE BILL NO. 515

BY REPRESENTATIVE WRIGHT

ADMINISTRATIVE PROCEDURE: Provides relative to the content of the notice of intent of an agency's intended action regarding administrative rules

1 AN ACT

2 To amend and reenact R.S. 49:953(1)(a)(vii), relative to administrative rules; to provide  
3 relative to the form of notices of intent; and to provide for related matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 49:953(1)(a)(vii) is hereby amended and reenacted to read as  
6 follows:

7 §953. Procedure for adoption of rules; agency rule review

8 A. Prior to the adoption, amendment, or repeal of any rule, the agency shall:

9 (1)(a) Give notice of its intended action and a copy of the proposed rules at  
10 least ninety days prior to taking action on the rule. The notice shall include:

11 \* \* \*

12 (vii) ~~A statement indicating whether the agency has prepared a~~ The  
13 preamble, which explains the basis and rationale for the intended action; and  
14 summarizes the information and data supporting the intended action; ~~and provides~~  
15 ~~information concerning how the preamble may be obtained.~~

16 \* \* \*

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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)]

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HB 515 Engrossed

2020 Regular Session

Wright

**Abstract:** Requires the inclusion of a preamble in a notice of intent to adopt, amend, or repeal administrative rules.

Present law provides procedures for the adoption, amendment, and repeal of rules by executive branch agencies and for public participation and legislative oversight regarding such rule changes. Requires an agency, prior to taking action on a rule, to give notice of its intended action at least 90 days prior to taking the action. Requires that the notice of intent include a statement or description of rule's substance, statements of the fiscal and economic impact, and other specific items.

Present law requires that the notice of intent include a statement indicating whether the agency prepared a preamble and provide information concerning how the preamble may be obtained. Provides that a preamble explains the basis and rationale for the intended action and summarizes the information and data supporting the intended action.

Proposed law requires that the notice of intent include the preamble rather than indicating whether one was prepared and how it may be obtained.

(Amends R.S. 49:953(1)(a)(vii))

Summary of Amendments Adopted by House

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

1. Remove language that made the requirement that a notice of intent include a preamble conditional on there being a preamble to the rule.