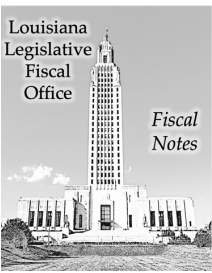


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 390** HLS 22RS 213
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 29, 2022 3:11 PM	Author: WRIGHT
Dept./Agy.: Division of Administration - Office of the State Register	Analyst: Monique Appeaning
Subject: Administrative Rules	

ADMINISTRATIVE PROCEDURE OR INCREASE GF EX See Note Page 1 of 1
 Provides relative to rules adopted under the Administrative Procedure Act

Proposed law adds to rules adopted in accordance with present law (R.S. 49:453) shall expire on June 30th of the year following the year of its adoption unless legislation is enacted to continue the effectiveness of the rule to a certain date or indefinitely.

EXPENDITURES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Ded./Other	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

EXPENDITURE EXPLANATION

Proposed law will likely result in an indeterminable increase in expenditures impacting multiple means of finance across all state agencies as a result of all rules set to expire June 30th annually. The Division of Administration - Office of the State Register (OSR) reports there are 255 rules promulgated annually (average amount derived from the past 3 calendar years). The number of rules that will be submitted annually is unknown; but, believed to be significant. NOTE: The Legislative Fiscal Office (LFO) assumes proposed law is prospective application to future rules.

Assuming agencies resubmit rules that are not codified in statute, there will likely be a significant increase in workload for state agencies, the OSR and the LFO to prepare, submit, review, process and/or publish the new information required. The LFO will utilize existing resources to handle the workload increase.

For informational purposes, OSR provided the following information:

Currently, the average page count per document is approximately 5.4 pages for rules submitted. The current publication cost is \$213 per page, resulting in the average publication cost per document of \$1,150. In rulemaking, the document is printed twice (once as a Notice of Intent and once as a Rule), resulting in an average rulemaking cost of \$2,300 per rule. Therefore, the average annual cost is \$586,500 across various means of finance (\$2,300 x 255 = \$586,500).

NOTE: This scope of this measure impacts all departments, agencies, boards, commissions, and other state entities in the following areas: Administrative Law, Administration, Agriculture & Animals, Financial Institutions, Consumer Credit, Investment Securities & UCC, Economic Development, Community Affairs, Construction, Corporations & Business, Corrections, Criminal Justice & Law Enforcement, Cultural Resources, Elections, Employee Benefits, Environmental Quality - Air, Hazardous Waste & Hazardous Materials, Inactive & Abandoned Hazardous Waste & Hazardous Substance Site Remediation, Solid Waste, Water Quality, Underground Storage Tanks, and Radiation Protection, Government Contracts, Procurement, & Property Control, Horse Racing, Professional & Occupational Standards: Horse Racing Occupations, Insurance, Labor & Employment, Military Forces of the State, Louisiana Gaming, Natural Resources, Office of Mineral Resources, Water Resources Management, Office of Conservation-Natural Gas Policy Act, Pipeline Division, & Pipeline Safety, Surface Mining, Injection & Mining, State Lands, Oil Spill Prevention & Response, Coastal Protection & Restoration Authority, Public Health - General, Food, Drugs, & Cosmetics, Medical Assistance, Sanitary Code, Ethics, Public Safety, Public Works, Retirement, Revenue & Taxation, Social Services, Tax Appeals (Revenue Department & Local Sales Tax Disputes), Transportation, Treasury - Public Funds, Uniform Local Sales Tax (Uniform Local Sales Tax Administrative Code), Weights, Measures, & Standards, and Wildlife & Fisheries.

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in revenue to the OSR for fees associated with rules promulgated annually statewide. The current publication cost is \$213 per page, resulting in the average publication cost per document of \$1,150. In rulemaking, the document is printed twice (once as a Notice of Intent and once as a Rule), resulting in an average rulemaking cost of \$2,300 per rule.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
Evan Brasseaux
Interim Deputy Fiscal Officer