
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)]

SB 59 Reengrossed

2025 Regular Session

Reese

Present law relative to the Administrative Procedure Act provides for the information required to be included in a notice to adopt, amend, or repeal any rule or fee. Further provides that a statement by the legislative fiscal office shall include whether the proposed action will result in a fiscal impact.

Proposed law retains present law but provides that the legislative fiscal office shall provide a statement of the proposed action's fiscal impact. However, proposed law provides that if the proposed rule is expressly required by legislation and the fiscal note on the legislation accounted for the fiscal impact that is equal to or greater than the fiscal impact of the proposed action, the fiscal impact statement need not account for the related fiscal impact.

Proposed law requires that if a proposed action will result in the expenditure of state funds or an economic impact involving costs to regulated entities estimated at \$200,000 or more per year to \$600,000 or more over three years, shall not take effect unless the appropriate house and senate oversight committees find the proposed action acceptable or, if either oversight committee fails to conduct a hearing to consider the proposed action, the governor finds the proposed action acceptable.

Proposed law requires the governor to submit his written reasons finding the proposed action acceptable to the legislative oversight committees, the agency, and the La. Register.

Effective August 1, 2025.

(Amends R.S. 49:961(A)(2)(b); adds R.S. 49:961(E)(4))

Summary of Amendments Adopted by SenateCommittee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the original bill

1. Removes changes to emergency rules.
2. Authorizes the governor to approve the final rule in writing.

Senate Floor Amendments to engrossed bill

1. Provides that if the proposed rule is required by or necessary to implement legislation, any fiscal impact accounted for in the fiscal note for that legislation, shall not be considered a fiscal impact of the proposed rule.
2. Changes the fiscal impact amount from \$1M over five years or more to \$600,000 or more over 3 years.
3. Provides that a proposed rule may take effect without the approval of the oversight subcommittees if a subcommittee fails to meet and if the governor approves the final promulgation of the rule in writing.

Summary of Amendments Adopted by House

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

1. Provide that the exception from including the fiscal impact applies to proposed actions expressly required to implement legislation.
2. Add the condition that the fiscal impact not be included as long as the fiscal impact accounted for in the fiscal note associated with legislation is greater than or equal to the amount for the fiscal impact of the proposed action.
3. Require the governor to submit his written findings to the legislature, the agency, and the La. Register.
4. Revise terminology.