

Existing law (R.S. 49:950 et seq.—Administrative Procedure Act) provides procedures and requirements for the adoption, amendment, and repeal of rules and fees. Requires certain notice and reporting by agencies. Provides deadlines.

New law additionally requires each rulemaking agency to include on its Internet website certain information relative to proposed rules and fees. Provides that if an agency does not have an Internet website, the department of which the agency is a part shall include the required information for the agency on the website of the department. Provides that if an agency in the office of the governor does not have an Internet website, the division of administration shall include the required information for the agency on its Internet website.

New law requires the following information to be included on the website:

- (1) A brief description of each rule or fee that the agency is in the process of adopting, amending, or repealing. For each such rule or fee, links to the following shall be included:
 - (a) The full text of the current rule or fee.
 - (b) A copy of the proposed rule or statement of the proposed fee in the form required by existing law (R.S. 49:968(C)(1)), which requires the proposed change to be coded with any new rule or language that is to be added to an existing rule underscored and any language that is to be deleted from an existing rule in struck-through type.
 - (c) The name and contact information of the person within the agency who has the responsibility for responding to inquiries about the intended action pursuant to existing law (R.S. 49:953(A)(1)(a)(iv)).
 - (d) The time when, the place where, and the manner in which interested persons may present their views concerning the intended action as required by existing law (R.S. 49:953(A)(1)(a)(v)).
 - (e) The anticipated effective date for the proposed rule or fee.
 - (f) A copy of the notice of intent submitted to the La. Register pursuant to existing law (R.S. 49:953(A)(1)(b)) and the date the notice of intent will be published in the La. Register.
 - (g) A copy of the report submitted to the legislative oversight subcommittees pursuant to existing law (R.S. 49:968(D)(1)(b)) and a copy of the public notice required by existing law (R.S. 49:968(D)(1)(c)).
 - (h) A copy of any announcement of a hearing and report made pursuant to existing law (R.S. 49:968(H)(2)), which is required when substantive changes are made to proposed rules.
 - (i) A copy of any report received by the agency from a legislative oversight subcommittee pursuant to existing law (R.S. 49:968(F)) finding a proposed rule change or proposed fee to be unacceptable, or from the governor pursuant to existing law (R.S. 49:968(I)) disapproving action of an oversight subcommittee.
- (2) A copy of the annual report submitted to the legislative oversight subcommittees by the agency pursuant to existing law (R.S. 49:968(K)), which requires reporting concerning action taken by the agency with respect to adoption, amendment, or repeal of each rule proposed for adoption, amendment, or repeal and a report of the action taken by the agency with respect to any proposed fee adoption, increase, or decrease during the previous year.

New law provides that the information described in (1)(a) through (g) above shall be published no later than five days after the date on which the agency submits the report for the

proposed rule or fee to the legislative oversight subcommittees pursuant to existing law (R.S. 49:968(B)). Provides that the other information must be published within five days of when it is submitted as required by law or received by the agency, as the case may be.

New law provides that if an agency does not have an Internet website, the agency shall submit the information to the department or to the division of administration, as the case may be, in a manner which allows enough time for the information to be published prior to the applicable deadline.

New law requires that all of the information required to be published be archived for a minimum of one year following the date of publication. Provides that each agency, department, or the division of administration, as the case may be, shall include on its Internet home page a link to the information.

New law 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 intended action pursuant to existing law (R.S. 49:953(A)).

Requirements for publication are effective Jan. 1, 2015, but requires each agency, each department in the executive branch of state government, and the division of administration to take all reasonable action necessary prior to Jan. 1, 2015, to ensure that the requirements of new law will be satisfied beginning on Jan. 1, 2015.

(Adds R.S. 49:974)