

FIRST REGULAR SESSION

SENATE BILL NO. 350

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS DIXON AND RIDGEWAY.

Read 1st time February 24, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1455S.02I

AN ACT

To amend chapter 536, RSMo, by adding thereto one new section relating to the repromulgation of state administrative rules.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 536, RSMo, is amended by adding thereto one new
2 section, to be known as section 536.175, to read as follows:

**536.175. 1. All rules proposed, adopted or amended by any state
2 agency after August 28, 2011, shall automatically terminate six years
3 after their effective date. If an agency desires to continue the
4 effectiveness of any rule beyond six years, the agency shall
5 repromulgate the rule under the procedures contained in section
6 536.021 at least once every six years.**

**7 2. For each rule repromulgated under the provisions of this
8 section, the agency shall review the rule during the course of
9 repromulgation to determine all of the following:**

**10 (1) Whether the rule should be continued without amendment, be
11 amended, or be rescinded, taking into consideration the purpose, scope,
12 and intent of the statute under which the rule was adopted;**

**13 (2) Whether the rule needs amendment or rescission to reduce
14 regulatory burdens on business;**

**15 (3) Whether the rule needs amendment or rescission to eliminate
16 unnecessary paperwork, or whether the rule incorporates a text or
17 other material by reference and, if so, whether the text or other
18 material incorporated by reference meets the requirements of section
19 536.031; and**

**20 (4) Whether the rule duplicates, overlaps with, or conflicts with
21 other rules or statutes.**

22 3. In making the review required under subsection 2 of this
23 section, the agency shall consider the continued need for the rule, the
24 nature of any complaints or comments received concerning the rule,
25 and any relevant factors that have changed in the subject matter area
26 affected by the rule.

27 4. The agency shall file a statement of its findings under this
28 section with any rulemakings filed under the procedures contained in
29 section 536.021.

✓
Unofficial

Bill

Copy