

SENATE BILL NO. 1277

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

5660S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 1, RSMo, by adding thereto one new section relating to federal guidance.

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

Section A. Chapter 1, RSMo, is amended by adding thereto
2 one new section, to be known as section 1.600, to read as
3 follows:

1.600. 1. Within fifteen days of receiving a guidance
2 document from the federal government, a state department
3 shall publish the guidance document in accordance with the
4 requirements of subsection 2 of this section.

5 2. (1) All guidance documents required to be published
6 under subsection 1 of this section shall be published on a
7 website designated by the department director under
8 subdivision (2) of this subsection.

9 (2) Not later than ninety days after the date of
10 enactment of this section, the director of each state
11 department shall designate a website on which guidance
12 documents shall be published.

13 (3) Each state department shall, for guidance
14 documents required to be published by the department under
15 subsection 1 of this section, publish in a conspicuous
16 manner a hyperlink on the department's website that provides
17 access to the guidance documents at the location described
18 in subdivision (1) of this subsection.

19 3. Within fifteen days of a guidance document being
20 rescinded, a state department shall maintain the rescinded
21 guidance document at the location described in subsection 2
22 of this section and indicate that the document has been
23 rescinded along with the date that the guidance document was
24 rescinded.

25 4. For purposes of this section, the term "guidance
26 document" means a federal agency statement of general
27 applicability, other than a rule that has the force and
28 effect of law promulgated in accordance with the notice and
29 comment procedures under 5 U.S.C. Section 553, that is
30 designated by an agency official as setting forth a policy
31 or interpretation on a statutory, regulatory, or technical
32 issue. This may include but is not limited to a memorandum,
33 notice, bulletin, directive, news release, letter, blog
34 post, or no-action letter. The term guidance document shall
35 be construed broadly to effectuate the purpose and intent of
36 this section.

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