

SECOND REGULAR SESSION

SENATE BILL NO. 877

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR FITZWATER.

5091S.02I

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 536, RSMo, by adding thereto two new sections relating to 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
2 two new sections, to be known as sections 536.180 and 536.185,
3 to read as follows:

536.180. 1. Any state agency filing a notice of
2 proposed rulemaking, as required by section 536.021, wherein
3 the adoption, amendment, or rescission of the rule would, as
4 determined by the fiscal note required under this chapter,
5 require or result in an expenditure of public funds by that
6 agency, any other state agency, or any political subdivision
7 of the state in excess of two hundred fifty thousand dollars
8 per year, or would require or result in an expenditure of
9 money by or a reduction in income for individuals or
10 businesses in excess of two hundred fifty thousand dollars
11 per year shall, in addition to the requirements of section
12 536.200, file notification with the joint committee on
13 administrative rules of such proposed rule. The committee
14 may hold hearings on any proposed rule or portion thereof at
15 any time. A final order of rulemaking shall not be filed
16 with the secretary of state until at least thirty days after
17 such final order of rulemaking has been received by the
18 committee.

19 2. Any proposed rule subject to the provisions of this
20 section shall not be subject to section 536.021 and shall
21 not become effective until the provisions of this section
22 have been satisfied.

23 3. A proposed rule subject to the provisions of this
24 section shall not become effective unless and until the
25 general assembly adopts a concurrent resolution in
26 accordance with the provisions of Article IV, Section 8 of
27 the Missouri Constitution to approve such proposed rule.

28 4. Upon adoption of such concurrent resolution as
29 provided in subsection 3 of this section, the secretary of
30 state shall not publish the order of rulemaking until the
31 expiration of time necessary for such resolution to be
32 signed by the governor or vetoed and subsequently acted upon
33 by the general assembly as provided in Article III, Section
34 32 of the Missouri Constitution. If such concurrent
35 resolution is adopted and signed by the governor or
36 otherwise reconsidered under Article III, Section 32 of the
37 Missouri Constitution, the secretary of state shall publish
38 in the Missouri register, as soon as practicable, the order
39 of rulemaking along with notice of the proposed rules or
40 portions thereof that were approved by the general assembly.

41 5. Except for rules adopted pursuant to section
42 536.025 or required to be adopted to conform with federal
43 law or for federal funding, any proposed rule shall be null,
44 void, and unenforceable unless made in accordance with the
45 provisions of this section.

 536.185. A state agency shall not file any notice of
2 proposed rulemaking with the secretary of state without
3 first receiving from and including a copy of the written
4 approval by the governor.

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