

House Engrossed

rulemaking; exemption; limitation; corporation commission

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HOUSE BILL 2128

AN ACT

AMENDING SECTION 41-1057, ARIZONA REVISED STATUTES; RELATING TO
ADMINISTRATIVE PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1057, Arizona Revised Statutes, is amended to
3 read:

4 41-1057. Exemptions

5 A. In addition to the exemptions stated in section 41-1005, this
6 article does not apply to:

7 1. An agency ~~which~~ THAT is a unit of state government headed by a
8 single elected official.

9 2. The corporation commission, ~~which~~ WHEN EXCLUSIVELY EXERCISING
10 ITS PLENARY RATEMAKING AUTHORITY. FOR THE PURPOSES OF THIS PARAGRAPH, THE
11 CORPORATION COMMISSION shall adopt substantially similar rule review
12 procedures, ~~including the preparation of an economic impact statement and~~
13 ~~a statement of the effect of the rule on small business,~~ TO THOSE FOUND IN
14 THIS ARTICLE AND SHALL MAKE THE PROPOSED RULE REVIEW PROCEDURES AVAILABLE
15 TO THE PUBLIC BEFORE INITIATING ANY RULEMAKING PROCESS.

16 3. The industrial commission of Arizona when incorporating by
17 reference the federal occupational safety and health standards as
18 published in 29 Code of Federal Regulations parts 1904, 1910, 1926 and
19 1928.

20 4. The Arizona state lottery if making rules that relate only to
21 the design, operation or prize structure of a lottery game.

22 B. An agency exempt under subsection A of this section may elect to
23 follow the requirements of this article instead of section 41-1044 for a
24 particular ~~rule making~~ RULEMAKING. The agency shall include with a final
25 ~~rule making~~ RULEMAKING filed with council a statement that the agency has
26 elected to follow the requirements of this article.