HOUSE BILL 2254

AN ACT

AMENDING TITLE 41, CHAPTER 6, ARTICLE 4.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1049; RELATING TO RULEMAKING.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 41, chapter 6, article 4.1, Arizona Revised Statutes, is amended by adding section 41-1049, to read:

41-1049. Proposed rulemaking; regulatory costs; legislative ratification

A. NOTWITHSTANDING ANY OTHER LAW, IF A PROPOSED RULE IS ESTIMATED TO INCREASE REGULATORY COSTS IN THIS STATE IN EXCESS OF $500,000 WITHIN TWO YEARS AFTER IMPLEMENTATION OR TO HAVE AN ADVERSE IMPACT ON ECONOMIC GROWTH IN THIS STATE IN EXCESS OF $500,000 WITHIN TWO YEARS AFTER IMPLEMENTATION, THE PROPOSED RULE MAY NOT BECOME EFFECTIVE UNTIL THE LEGISLATURE ENACTS LEGISLATION RATIFYING THE PROPOSED RULE.

B. THE AGENCY SHALL SUBMIT THE PROPOSED RULE TO THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE NOT LATER THAN THIRTY DAYS BEFORE THE NEXT REGULAR LEGISLATIVE SESSION. THE COMMITTEE MUST SUBMIT THE PROPOSED RULE TO THE LEGISLATURE AS SOON AS PRACTICABLE.

C. ANY MEMBER OF THE LEGISLATURE MAY INTRODUCE LEGISLATION TO RATIFY THE PROPOSED RULE. THE PROPOSED RULE IS EXEMPT FROM SECTION 41-1024, SUBSECTION B.

D. THE AGENCY MAY NOT FILE A FINAL RULE WITH THE SECRETARY OF STATE BEFORE OBTAINING LEGISLATIVE APPROVAL OF THE RULE THROUGH LEGISLATION RATIFYING THE PROPOSED RULE. IF THE LEGISLATURE DOES NOT ENACT LEGISLATION TO RATIFY THE PROPOSED RULE DURING THE CURRENT LEGISLATIVE SESSION, THE AGENCY SHALL TERMINATE THE PROPOSED RULEMAKING BY PUBLISHING A NOTICE OF TERMINATION IN THE REGISTER.

E. THIS SECTION DOES NOT APPLY TO EMERGENCY RULES ADOPTED PURSUANT TO SECTION 41-1026.

F. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, A RULE PRESCRIBED BY SUBSECTION A OF THIS SECTION IS VOID AND UNENFORCEABLE UNLESS THE RULE IS ADOPTED AS PRESCRIBED BY THIS SECTION.