

House Engrossed

rulemaking; regulatory costs; legislative ratification

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

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)

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

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

4 41-1049. Proposed rulemaking; regulatory costs; legislative
5 ratification

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

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

16 C. ANY MEMBER OF THE LEGISLATURE MAY INTRODUCE LEGISLATION TO
17 RATIFY THE PROPOSED RULE. THE PROPOSED RULE IS EXEMPT FROM SECTION
18 41-1024, SUBSECTION B.

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

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

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