

SENATE BILL No. 129

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-18-8.

Synopsis: Rulemaking oversight. Requires the administrative rules oversight commission to review rules, including emergency rules, that are filed with the secretary of state. Provides for a study of ways in which to give the general assembly more time to review rules before the rules become effective.

Effective: Upon passage.

Miller, Kenley, Craycraft, Bowser

January 6, 1999, read first time and referred to Committee on Public Policy.

C
o
p
y



Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

SENATE BILL No. 129

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-5-18-8 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The committee shall
3 receive and may, at its discretion, review a complaint filed by a person
4 regarding a rule or practice of an agency.
5 (b) The committee may review an agency rule, an agency practice,
6 or a failure of an agency to adopt a rule.
7 (c) The committee may recommend that a rule be modified,
8 repealed, or adopted.
9 (d) **The committee shall review each proposed rule after the**
10 **proposed rule is filed with the secretary of state under IC 4-22-2-35**
11 **and each emergency rule after the rule is filed with the secretary**
12 **of state under IC 4-22-2-37.1.**
13 (e) When appropriate, the committee shall prepare and arrange
14 for the introduction of a bill to **do one (1) or more of the following:**
15 (1) Clarify the intent of the general assembly when the general
16 assembly enacted a law or to correct the misapplication of a law
17 by an agency.



C
O
P
Y

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

(2) Recommend to the general assembly that the general assembly void a rule.

(3) Recommend to the general assembly that the effect of a proposed rule filed with the secretary of state be delayed or suspended for the purpose of giving the general assembly a further opportunity to review the rule.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a)The legislative council shall provide in 1999 for the following:

(1) A study of the legislative changes needed to delay the effective date of rules and to suspend the operation of rules in order to give the general assembly a reasonable opportunity to review each proposed and emergency rule.

(2) The preparation of legislation for introduction in the 2000 session of the general assembly to implement the recommendations made under subdivision (1).

(b) This SECTION expires December 31, 1999.

SECTION 3. [EFFECTIVE UPON PASSAGE] IC 2-5-18-8, as amended by this act, applies only to rules that are filed with the secretary of state after the effective date of this SECTION.

SECTION 4. An emergency is declared for this act.

C
O
P
Y

