

REFERENCE TITLE: regulatory costs; rulemaking; ratification

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# **SB 1255**

Introduced by  
Senator Kern: Representative Smith

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 \$1,000,000 WITHIN  
8 FIVE YEARS AFTER IMPLEMENTATION, THE PROPOSED RULE MAY NOT BECOME  
9 EFFECTIVE UNTIL THE LEGISLATURE ENACTS LEGISLATION RATIFYING THE PROPOSED  
10 RULE.  
11 B. THE AGENCY SHALL SUBMIT THE PROPOSED RULE TO THE ADMINISTRATIVE  
12 RULES OVERSIGHT COMMITTEE NOT LATER THAN THIRTY DAYS BEFORE THE NEXT  
13 REGULAR LEGISLATIVE SESSION. THE COMMITTEE MUST SUBMIT THE PROPOSED RULE  
14 TO THE LEGISLATURE AS SOON AS PRACTICABLE.  
15 C. ANY MEMBER OF THE LEGISLATURE MAY INTRODUCE LEGISLATION TO  
16 RATIFY THE PROPOSED RULE. THE PROPOSED RULE IS EXEMPT FROM SECTION  
17 41-1024, SUBSECTION B.  
18 D. THE AGENCY MAY NOT FILE A FINAL RULE WITH THE SECRETARY OF STATE  
19 BEFORE OBTAINING LEGISLATIVE APPROVAL OF THE RULE THROUGH LEGISLATION  
20 RATIFYING THE PROPOSED RULE. IF THE LEGISLATURE DOES NOT ENACT  
21 LEGISLATION TO RATIFY THE PROPOSED RULE DURING THE CURRENT LEGISLATIVE  
22 SESSION, THE AGENCY SHALL TERMINATE THE PROPOSED RULEMAKING BY PUBLISHING  
23 A NOTICE OF TERMINATION IN THE REGISTER.  
24 E. THIS SECTION DOES NOT APPLY TO EMERGENCY RULES ADOPTED PURSUANT  
25 TO SECTION 41-1026.  
26 F. BEGINNING ON THE EFFECTIVE DATE OF THIS SECTION, A RULE  
27 PRESCRIBED BY SUBSECTION A OF THIS SECTION IS VOID AND UNENFORCEABLE  
28 UNLESS THE RULE IS ADOPTED AS PRESCRIBED BY THIS SECTION.