

Senate Engrossed

regulatory costs; rulemaking; ratification

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

SENATE BILL 1255

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 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.