

HOUSE BILL No. 2279

By Committee on Federal and State Affairs

Requested by Representative W. Carpenter

2-5

1 AN ACT concerning rules and regulations; relating to proposed rule and
2 regulation ratification by legislature; exempting the department of
3 wildlife and parks from the implementation and compliance cost
4 restrictions of this section; amending K.S.A. 2024 Supp. 77-441 and
5 repealing the existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2024 Supp. 77-441 is hereby amended to read as
9 follows: 77-441. (a) (1) If an economic impact statement required by
10 K.S.A. 77-420, and amendments thereto, or a revised economic impact
11 statement prepared pursuant to K.S.A. 77-416(b)(3), and amendments
12 thereto, indicates that \$1,000,000 or more in implementation and
13 compliance costs are reasonably expected to be incurred by or passed
14 along to businesses, local governmental units and individuals as a result of
15 the proposed rule and regulation over the initial five-year period following
16 adoption of such rule and regulation, the state agency proposing such rule
17 and regulation shall not adopt such rule and regulation unless such rule
18 and regulation has been ratified by the legislature. A proposed rule and
19 regulation shall be deemed ratified if a bill authorizing such rule and
20 regulation is enacted by the legislature. Any member of the legislature may
21 introduce a bill authorizing a state agency to adopt a rule and regulation
22 that such agency is prohibited from adopting under this subsection. The
23 state agency may resume adopting such proposed rule and regulation upon
24 enactment of a bill introduced under this subsection.

25 (b) If a state agency is prohibited from adopting a proposed rule and
26 regulation under subsection (a), such agency may modify the proposed
27 rule and regulation to lower the implementation and compliance costs of
28 the proposed rule and regulation. Any such modification shall be germane
29 to the subject of the proposed rule and regulation. If a proposed rule and
30 regulation is modified pursuant this subsection, the state agency shall
31 prepare a revised economic impact statement pursuant to K.S.A. 77-416(b)
32 (3), and amendments thereto. A state agency may adopt such modified rule
33 and regulation if the revised economic impact statement indicates that
34 \$1,000,000 or more in implementation and compliance costs are not
35 reasonably expected to be incurred by or passed along to businesses, local

1 governmental units and individuals as a result of the proposed rule and
2 regulation over the initial five-year period following adoption of such
3 proposed rule and regulation.

4 (c) The provisions of this section shall not apply to temporary rules
5 and regulations adopted pursuant to K.S.A.—~~77-722~~ 77-422, and
6 amendments thereto, rules and regulations proposed because of a federal
7 mandate as described in K.S.A. 77-416(b)(1)(B), and amendments thereto,
8 ~~or~~ rules and regulations adopted pursuant to K.S.A. 2-3710, and
9 amendments thereto, *or rules and regulations adopted by the Kansas*
10 *department of wildlife and parks.*

11 (d) This section shall be a part of and supplemental to the rules and
12 regulations filing act.

13 Sec. 2. K.S.A. 2024 Supp. 77-441 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after its
15 publication in the statute book.