

As Amended by House Committee

Session of 2019

HOUSE BILL No. 2411

By Committee on Federal and State Affairs

3-25

1 AN ACT concerning administrative rules and regulations; relating to
2 review by the director of the budget; amending K.S.A. ~~2018 Supp.~~ 77-
3 416 ~~and~~, 77-420, **77-420a**, **77-421** and **77-422** and repealing the
4 existing sections.
5

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

7 Section 1. K.S.A. ~~2018 Supp.~~ 77-416 is hereby amended to read as
8 follows: 77-416. (a) Every state agency shall file with the secretary of state
9 every rule and regulation adopted by it and every amendment and
10 revocation thereof in the manner prescribed by the secretary of state. Each
11 rule and regulation shall include a citation to the statutory section or
12 sections being implemented or interpreted and a citation of the authority
13 pursuant to which it, or any part thereof, was adopted. Every rule and
14 regulation filed in the office of the secretary of state shall be accompanied
15 by a copy of the economic impact statement required by subsection (b) and
16 a copy of the environmental benefit statement if required by subsection
17 (d). A copy of any document adopted by reference in a rule and regulation
18 shall be available from the state agency that adopted the rule and
19 regulation upon request by any person interested therein. The state agency,
20 under the direction of the secretary of state, shall number each section with
21 a distinguishing number and, in making a compilation of the rules and
22 regulations, the sections shall be arranged in numerical order. A decimal
23 system of numbering shall be prohibited.

24 (b) (1) At the time of drafting a proposed rule and regulation or
25 amendment to an existing rule and regulation, the state agency shall
26 consider the economic impact of the proposed rule and regulation. The
27 state agency shall prepare an economic impact statement that shall include:

28 (A) An analysis, brief description, and cost and benefit quantification
29 of the proposed rules and regulations and what is intended to be
30 accomplished by their adoption. If the approach chosen by the Kansas
31 agency to address the policy issue is different from that utilized by
32 agencies of contiguous states or of the federal government, the economic
33 impact statement shall include an explanation of why the Kansas agency's
34 rule and regulation differs;

35 (B) whether the proposed rule and regulation is mandated by federal
36 law as a requirement for participating in or implementing a federally

1 subsidized or assisted program and whether the proposed rules and
2 regulations exceed the requirements of applicable federal law;

3 (C) an analysis specifically addressing the following factors:

4 (i) The extent to which the rule and regulation will enhance or restrict
5 business activities and growth;

6 (ii) the economic effect, including a detailed quantification of
7 implementation and compliance costs, on the specific businesses, business
8 sectors, public utility ratepayers, individuals and local governmental units
9 that will be affected by the proposed rule and regulation and on the state
10 economy as a whole;

11 (iii) the businesses that would be directly affected by the proposed
12 rule and regulation;

13 (iv) the benefits of the proposed rule and regulation compared to the
14 cost;

15 (v) measures taken by the agency to minimize the cost and impact of
16 the proposed rule and regulation on business and economic development
17 within the state of Kansas, local government and individuals; *and*

18 (vi) an estimate, ~~expressed as a single dollar figure~~, of the total annual
19 implementation and compliance costs that are reasonably expected to be
20 incurred by or passed along to businesses, local governmental units or
21 members of the public and a determination of whether those costs will
22 exceed \$3,000,000 over any two-year period; ~~and~~

23 ~~(vii) an estimate of the total implementation and compliance costs~~
24 ~~that are reasonably expected to be incurred by or passed along to~~
25 ~~businesses, local governmental units and individuals as a result of the~~
26 ~~proposed rule, expressed as a single dollar figure.~~

27 (2) The state agency shall consult with the league of Kansas
28 municipalities, Kansas association of counties and the Kansas association
29 of school boards, as appropriate, when preparing the economic impact
30 statement of a proposed rule and regulation which increases or decreases
31 revenues of cities, counties or school districts or imposes functions or
32 responsibilities on cities, counties or school districts that will increase their
33 expenditures or fiscal liability. The agency shall consult and solicit
34 information from businesses, business associations, local governmental
35 units, state agencies or institutions and members of the public that may be
36 affected by the proposed rule and regulation or that may provide relevant
37 information.

38 (3) As required pursuant to the provisions of K.S.A. 77-420(d), and
39 amendments thereto, the state agency shall reevaluate and, when
40 necessary, update the economic impact statement when directed to do so
41 by the director of the budget and, if approved by the director of the budget,
42 shall submit the revised economic impact statement at the time of filing a
43 rule and regulation with the secretary of state. If a public hearing was held

1 prior to the adoption of the rule and regulation, a state agency at the time
2 of filing a rule and regulation with the secretary of state shall include as a
3 part of the economic impact statement a statement specifying the time and
4 place at which the hearing was held and the attendance at the hearing. A
5 copy of the current economic impact statement shall be available from the
6 state agency upon request by any party interested therein.

7 **(4) The implementation and compliance costs determined under**
8 **subsection (b)(1)(C)(vi) shall be those additional costs reasonably**
9 **expected to be incurred and shall be separately identified for the**
10 **affected businesses, local governmental units and members of the**
11 **public. In determining total additional costs of such proposed rules**
12 **and regulations, the state agency shall not account for any actual or**
13 **estimated cost savings that may be realized by the implementing state**
14 **agency or by members of the public.**

15 (c) Pursuant to the provisions of K.S.A. 77-420, and amendments
16 thereto, the director of the budget shall review the economic impact
17 statement prepared by any state agency and shall prepare a supplemental
18 or revised statement and an independent analysis by the director of the
19 budget of the cost and the factors as set forth in subsection (b)(1)(A) and
20 (C) and subsection (e). If possible, the supplemental or revised statement
21 shall include a reliable estimate in dollars of the anticipated change in
22 revenues and expenditures of the state. It also shall include a statement, if
23 determinable or reasonably foreseeable, of the immediate and long-range
24 economic impact of the rule and regulation upon persons subject thereto,
25 small employers and the general public. If, after careful investigation, it is
26 determined that no dollar estimate is possible, the statement shall set forth
27 the reasons why no dollar estimate can be given. Every state agency is
28 directed to cooperate with the division of the budget in the preparation of
29 any statement pursuant to this subsection when, and to the extent,
30 requested by the director of the budget. The director of the budget shall
31 follow the procedures set forth in K.S.A. 77-420, and amendments thereto,
32 in evaluating and accepting or rejecting the proposed rule and regulation.
33 No agency shall submit a rule and regulation to the secretary of state for
34 filing before receiving the approval of the director of the budget as
35 provided in this subsection and K.S.A. 77-420, and amendments thereto.

36 (d) At the time of drafting a proposed environmental rule and
37 regulation or amendment to an existing environmental rule and regulation,
38 the state agency shall consider the environmental benefit of such proposed
39 rule and regulation or amendment. Prior to giving notice of a hearing on a
40 proposed rule and regulation, the state agency shall prepare an
41 environmental benefit statement that shall include a description of the need
42 for and the environmental benefits that will likely accrue as the result of
43 the proposed rule and regulation or amendment. The description shall

1 summarize, when applicable, research indicating the level of risk to the
2 public health or the environment being removed or controlled by the
3 proposed rule and regulation or amendment. When specific contaminants
4 are to be controlled by the proposed rule and regulation or amendment, the
5 description shall indicate the level at which the contaminants are
6 considered harmful according to currently available research. The state
7 agency may consult with other state agencies when preparing the
8 environmental benefit statement. The state agency shall reevaluate and,
9 when necessary, update the statement at the time of filing a rule and
10 regulation with the secretary of state. A copy of the current environmental
11 benefit statement shall be available from the state agency upon request by
12 any party interested therein.

13 (e) In addition to the requirements of subsection (b), the economic
14 impact statement for all environmental rules and regulations shall include:

15 (1) A description of the capital and annual costs of compliance with
16 the proposed rules and regulations, and the persons who will bear those
17 costs;

18 (2) a description of the initial and annual costs of implementing and
19 enforcing the proposed rules and regulations, including the estimated
20 amount of paperwork, and the state agencies, other governmental agencies
21 or other persons or entities who will bear the costs;

22 (3) a description of the costs that would likely accrue if the proposed
23 rules and regulations are not adopted, the persons who will bear the costs
24 and those who will be affected by the failure to adopt the rules and
25 regulations; and

26 (4) a detailed statement of the data and methodology used in
27 estimating the costs used in the statement.

28 (f) In 2021, the legislative post audit committee shall direct the
29 legislative division of post audit to conduct an audit to study:

30 (1) The accuracy of economic impact statements submitted by state
31 agencies pursuant to this section for the immediately preceding seven
32 years;

33 (2) the impact the review by the director of the budget has had on the
34 accuracy of economic impact statements submitted by state agencies
35 pursuant to this section; and

36 (3) whether the \$3,000,000 cost figure is the appropriate amount of
37 economic impact to trigger the hearing procedure required by K.S.A. 77-
38 420(a), and amendments thereto.

39 Sec. 2. ~~K.S.A.—2018—Supp. 77-420~~ is hereby amended to read as
40 follows: 77-420. (a) (1) *Except as further provided by this subsection,*
41 every rule and regulation proposed to be adopted by any state agency,
42 ~~before~~ **after** being submitted to the secretary of administration and the
43 attorney general as required by this section, shall be submitted with the

1 economic impact statement for the rule and regulation required by K.S.A.
2 77-416, and amendments thereto, to the director of the budget for review
3 of the accuracy and completeness of the agency's economic impact
4 statement. ~~The director of the budget shall make an independent~~
5 ~~determination of the amount of implementation and compliance costs~~
6 ~~reasonably expected to be incurred by or passed along to businesses, local~~
7 ~~government and individuals over any two-year period as a result of the~~
8 ~~proposed rule and regulation and shall conduct an independent analysis of~~
9 ~~the factors set forth in K.S.A. 77-416(b)(1)(A) and (C) and (e), and~~
10 ~~amendments thereto. Every rule and regulation approved requiring~~
11 *approval* by the director of the budget shall be stamped as approved, and
12 the date of approval shall be indicated.

13 (2) If the ~~director independently~~ *agency* determines that a proposed
14 rule and regulation submitted or resubmitted by the agency will not result
15 in implementation or compliance costs of more than \$3,000,000 for
16 businesses, local government or individuals in any two-year period, the
17 ~~director shall:~~

18 ~~(A) approve the rule and regulation if the director independently~~
19 ~~determines that the economic impact statement is accurate, demonstrates a~~
20 ~~complete analysis as required by K.S.A. 77-416(b)(1)(A) and (C) and (e),~~
21 ~~and amendments thereto, and the director concurs with the economic~~
22 ~~impact statement; or~~

23 ~~(B) disapprove the rule and regulation~~ *agency shall provide a copy of*
24 *the economic impact statement to the director, but the director shall not be*
25 *required to review or approve the proposed rule and regulation.*

26 (3) If the ~~director of the budget~~ *agency* determines that the proposed
27 rule and regulation will result in implementation and compliance costs of
28 more than \$3,000,000 for businesses, local government or individuals in
29 any two-year period, the director of the budget shall:

30 (A) ~~approve the proposed rule and regulation, if the agency, prior to~~
31 ~~the submission or the resubmission of a rule and regulation to the director,~~
32 ~~holds a public hearing and finds that the costs of the proposed rule and~~
33 ~~regulation have been accurately determined and are necessary for~~
34 ~~achieving legislative intent and the director, after an independent analysis,~~
35 ~~concurs with the agency's findings and analysis and approves the~~
36 ~~economic impact statement; or~~

37 ~~(B) disapprove the proposed rule and regulation.~~

38 (4) *If an agency is proposing a rule and regulation because of a*
39 *federal mandate as described in K.S.A. 77-416(b)(1)(B), and amendments*
40 *thereto, the agency shall provide a copy of the economic impact statement*
41 *to the director, but the director shall not be required to review or approve*
42 *the proposed rule and regulation, regardless of the implementation and*
43 *compliance cost of the proposed rule and regulation.*

1 (5) *For the purposes of this subsection, the implementation and*
2 *compliance cost shall be calculated from the effective date of the rule and*
3 *regulation by subtracting the estimated cost savings from the total*
4 *implementation and compliance cost, resulting in the net implementation*
5 *and compliance cost.*

6 (b) The director of the budget shall submit an annual report to the
7 legislature and to the joint committee on administrative rules and
8 regulations on the first day of the 2019 regular legislative session and
9 subsequent regular legislative sessions on all rules and regulations
10 approved ~~or denied~~ by the director. The report shall include the text of
11 each rule and regulation reviewed, the final economic impact statement
12 and a summary of the director's analysis supporting the decision to
13 approve ~~or reject~~ the rule and regulation. The director shall immediately
14 submit a separate report to the legislature, if in session, and the joint
15 committee on administrative rules and regulations upon the approval ~~or~~
16 ~~denial~~ of a rule or regulation with costs determined to be greater than
17 \$3,000,000 for businesses, local government or individuals over any two-
18 year period. The report shall include an analysis of the agency's and the
19 director's decisions with respect to the necessity of the cost of the rule and
20 regulation to achieve legislative intent.

21 (c) Every rule and regulation proposed to be adopted by any state
22 agency ~~that has been approved by the director of the budget pursuant to~~
23 ~~complied with the provisions of subsection (a),~~ before being submitted to
24 the attorney general **and the director of the budget as required** under
25 this section, shall be submitted to the secretary of administration for
26 approval of its organization, style, orthography and grammar subject to
27 such requirements as to organization, style, orthography and grammar as
28 the secretary may adopt. Every rule and regulation submitted to the
29 secretary of administration under this subsection shall be accompanied by
30 a copy of any document which is adopted by reference by the rule and
31 regulation. Every rule and regulation approved by the secretary of
32 administration under this subsection shall be stamped as approved and the
33 date of such approval shall be indicated therein.

34 (d) Every rule and regulation proposed by any state agency that has
35 ~~complied with the provisions of subsection (a) and has~~ been approved by
36 the director of the budget and the secretary of administration as provided
37 in ~~subsections (a) and subsection (c),~~ before being ~~adopted or filed~~
38 **submitted to the director of the budget as required under this section,**
39 shall be submitted to the attorney general for an opinion as to the legality
40 of the same, including whether the making of such rule and regulation is
41 within the authority conferred by law on the state agency. The attorney
42 general shall promptly furnish an opinion as to the legality of the proposed
43 rule and regulation so submitted. Every rule and regulation submitted to

1 the attorney general under this subsection shall be accompanied by a copy
2 of any document which is adopted by reference by the rule and regulation.
3 Every rule and regulation approved by the attorney general under this
4 subsection shall be stamped as approved and the date of such approval
5 shall be indicated therein.

6 (e) No rule and regulation shall be filed by the secretary of state
7 unless:

8 (1) The rule and regulation ~~has been approved by the director of the~~
9 ~~budget~~ *complied with the provisions of subsection (a)*;

10 (2) the organization, style, orthography and grammar have been
11 approved by the secretary of administration;

12 (3) the rule and regulation has been approved in writing by the
13 attorney general as to legality;

14 (4) the rule and regulation has been formally adopted by the state
15 agency after it has been approved by the director of the budget, the
16 secretary of administration and the attorney general and is accompanied by
17 a certified or other formal statement of adoption when adoption is by an
18 executive officer of a state agency, or by a certified copy of the roll call
19 vote required for its adoption by K.S.A. 77-421, and amendments thereto,
20 when adoption is by a board, commission, authority or other similar body;

21 (5) the rule and regulation to be filed is accompanied by a copy of the
22 economic impact statement as provided by K.S.A. 77-416, and
23 amendments thereto, ~~that has been reviewed and approved by the director~~
24 ~~of the budget as provided by~~ *complies with the provisions of* subsection
25 (a); and

26 (6) the rule and regulation to be filed is accompanied by a copy of the
27 environmental benefit statement required by K.S.A. 77-416, and
28 amendments thereto, if applicable.

29 **Sec. 3. K.S.A. 77-420a is hereby amended to read as follows: 77-**
30 **420a. No rule and regulation shall be adopted prior to the effective**
31 **date of the statute authorizing its adoption, but prior to the effective**
32 **date of such statute, the proposed rule and regulation may be**
33 **submitted to the director of the budget, the secretary of administration**
34 **and to, the attorney general and to the director of the budget for**
35 **approval as required by K.S.A. 77-420, and amendments thereto, and**
36 **notice of the proposed rule and regulation may be given and a hearing**
37 **held thereon in the manner provided by K.S.A. 77-421, and**
38 **amendments thereto.**

39 **Sec. 4. K.S.A. 77-421 is hereby amended to read as follows: 77-**
40 **421. (a) (1) Except as provided by subsection (a)(2), subsection (a)(3)**
41 **or subsection (a)(4), prior to the adoption of any permanent rule and**
42 **regulation or any temporary rule and regulation which is required to**
43 **be adopted as a temporary rule and regulation in order to comply**

1 with the requirements of the statute authorizing the same and after
2 any such rule and regulation has been approved by ~~the director of the~~
3 ~~budget, the secretary of administration and, the attorney general and~~
4 ~~the director of the budget, the adopting state agency shall give at least~~
5 **60 days' notice of its intended action in the Kansas register and to the**
6 **secretary of state and to the joint committee on administrative rules**
7 **and regulations established by K.S.A. 77-436, and amendments**
8 **thereto. The notice shall be provided to the secretary of state and to**
9 **the chairperson, vice chairperson, ranking minority member of the**
10 **joint committee and legislative research department and shall be**
11 **published in the Kansas register. A complete copy of all proposed rules**
12 **and regulations and the complete economic impact statement required**
13 **by K.S.A. 77-416, and amendments thereto, shall accompany the**
14 **notice sent to the secretary of state. The notice shall contain:**

15 (A) A summary of the substance of the proposed rules and
16 regulations;

17 (B) a summary of the economic impact statement indicating the
18 estimated economic impact on governmental agencies or units,
19 persons subject to the proposed rules and regulations and the general
20 public;

21 (C) a summary of the environmental benefit statement, if
22 applicable, indicating the need for the proposed rules and regulations;

23 (D) the address where a complete copy of the proposed rules and
24 regulations, the complete economic impact statement, the
25 environmental benefit statement, if applicable, required by K.S.A. 77-
26 416, and amendments thereto, may be obtained;

27 (E) the time and place of the public hearing to be held; the
28 manner in which interested parties may present their views; and

29 (F) a specific statement that the period of 60 days' notice
30 constitutes a public comment period for the purpose of receiving
31 written public comments on the proposed rules and regulations and
32 the address where such comments may be submitted to the state
33 agency. Publication of such notice in the Kansas register shall
34 constitute notice to all parties affected by the rules and regulations.

35 (2) Prior to adopting any rule and regulation which establishes
36 seasons and fixes bag, creel, possession, size or length limits for the
37 taking or possession of wildlife and after such rule and regulation has
38 been approved by the secretary of administration and the attorney
39 general, the secretary of wildlife, parks and tourism shall give at least
40 30 days' notice of its intended action in the Kansas register and to the
41 secretary of state and to the joint committee on administrative rules
42 and regulations created pursuant to K.S.A. 77-436, and amendments
43 thereto. All other provisions of subsection (a)(1) shall apply to such

1 rules and regulations, except that the statement required by
2 subsection (a)(1)(E) shall state that the period of 30 days' notice
3 constitutes a public comment period on such rules and regulations.

4 (3) Prior to adopting any rule and regulation which establishes
5 any permanent prior authorization on a prescription-only drug
6 pursuant to K.S.A. 39-7,120, and amendments thereto, or which
7 concerns coverage or reimbursement for pharmaceuticals under the
8 pharmacy program of the state medicaid plan, and after such rule and
9 regulation has been approved by the director of the budget, the
10 secretary of administration and the attorney general, the secretary of
11 health and environment shall give at least 30 days' notice of its
12 intended action in the Kansas register and to the secretary of state and
13 to the joint committee on administrative rules and regulations created
14 pursuant to K.S.A. 77-436, and amendments thereto. All other
15 provisions of subsection (a)(1) shall apply to such rules and
16 regulations, except that the statement required by subsection (a)(1)(E)
17 shall state that the period of 30 days' notice constitutes a public
18 comment period on such rules and regulations.

19 (4) Prior to adopting any rule and regulation pursuant to
20 subsection (c), the state agency shall give at least 60 days' notice of its
21 intended action in the Kansas register and to the secretary of state and
22 to the joint committee on administrative rules and regulations created
23 pursuant to K.S.A. 77-436, and amendments thereto. All other
24 provisions of subsection (a)(1) shall apply to such rules and
25 regulations, except that the statement required by subsection (a)(1)(E)
26 shall state that the period of notice constitutes a public comment
27 period on such rules and regulations.

28 (b) (1) On the date of the hearing, all interested parties shall be
29 given reasonable opportunity to present their views or arguments on
30 adoption of the rule and regulation, either orally or in writing. At the
31 time it adopts or amends a rule and regulation, the state agency shall
32 prepare a concise statement of the principal reasons for adopting the
33 rule and regulation or amendment thereto, including:

34 (A) The agency's reasons for not accepting substantial arguments
35 made in testimony and comments; and

36 (B) the reasons for any substantial change between the text of the
37 proposed adopted or amended rule and regulation contained in the
38 published notice of the proposed adoption or amendment of the rule
39 and regulation and the text of the rule and regulation as finally
40 adopted.

41 (2) Whenever a state agency is required by any other statute to
42 give notice and hold a hearing before adopting, amending, reviving or
43 revoking a rule and regulation, the state agency, in lieu of following

1 the requirements or statutory procedure set out in such other law, may
2 give notice and hold hearings on proposed rules and regulations in the
3 manner prescribed by this section.

4 (3) Notwithstanding the other provisions of this section, the
5 secretary of corrections may give notice or an opportunity to be heard
6 to any inmate in the custody of the secretary with regard to the
7 adoption of any rule and regulation.

8 (c) (1) The agency shall initiate new rulemaking proceedings
9 under this act, if a state agency proposes to adopt a final rule and
10 regulation that:

11 (A) Differs in subject matter or effect in any material respect
12 from the rule and regulation as originally proposed; and

13 (B) is not a logical outgrowth of the rule and regulation as
14 originally proposed.

15 (2) For the purposes of this provision, a rule and regulation is not
16 the logical outgrowth of the rule and regulation as originally proposed
17 if a person affected by the final rule and regulation was not put on
18 notice that such person's interests were affected in the rule making.

19 (d) When, pursuant to this or any other statute, a state agency
20 holds a hearing on the adoption of a proposed rule and regulation, the
21 agency shall cause written minutes or other records, including a
22 record maintained on sound recording tape or on any electronically
23 accessed media or any combination of written or electronically
24 accessed media records of the hearing to be made. If the proposed rule
25 and regulation is adopted and becomes effective, the state agency shall
26 maintain, for not less than three years after its effective date, such
27 minutes or other records, together with any recording, transcript or
28 other record made of the hearing and a list of all persons who
29 appeared at the hearing and who they represented, any written
30 testimony presented at the hearing and any written comments
31 submitted during the public comment period.

32 (e) No rule and regulation shall be adopted by a board,
33 commission, authority or other similar body except at a meeting which
34 is open to the public and notwithstanding any other provision of law to
35 the contrary, no rule and regulation shall be adopted by a board,
36 commission, authority or other similar body unless it receives
37 approval by roll call vote of a majority of the total membership
38 thereof.

39 Sec. 5. K.S.A. 77-422 is hereby amended to read as follows: 77-
40 422. (a) A rule and regulation may be adopted by a state agency as a
41 temporary rule and regulation if the state agency and the state rules
42 and regulations board finds that the preservation of the public peace,
43 health, safety or welfare necessitates or makes desirable putting such

1 rule and regulation into effect prior to the time it could be put into
2 effect if the agency were to comply with the notice, hearing and
3 publication requirements of this act or prior to the effective date
4 prescribed by K.S.A. 77-426, and amendments thereto.

5 (b) Temporary rules and regulations may be adopted without the
6 giving of notice and the holding of a hearing thereon.

7 (c) (1) A temporary rule and regulation shall take effect:

8 (A) After approval by ~~the director of the budget~~, the secretary of
9 administration ~~and~~, the attorney general *and the director of the budget*
10 as provided by K.S.A. 77-420, and amendments thereto;

11 (B) after approval by the state rules and regulations board as
12 provided by K.S.A. 77-423, and amendments thereto; and

13 (C) upon filing with the secretary of state.

14 (2) The effective date of all or specific parts of a temporary rule
15 and regulation may be delayed to a date later than its filing date if the
16 delayed effective date of such rule and regulation, or specific parts
17 thereof, is clearly expressed in the body of such rule and regulation.

18 (3) A temporary rule and regulation shall be effective for a period
19 not to exceed 120 days except that, for good cause, a state agency may
20 request that a temporary rule and regulation may be renewed one
21 time for an additional period not to exceed 120 days.

22 (d) A temporary rule and regulation which amends an existing
23 rule and regulation shall have the effect of suspending the force and
24 effect of the existing rule and regulation until such time as the
25 temporary rule and regulation is no longer effective. In such case, at
26 the time the temporary rule and regulation ceases to be effective, the
27 existing permanent rule and regulation which was amended by the
28 temporary rule and regulation shall be in full force and effect unless
29 such existing rule and regulation is otherwise amended, revoked or
30 suspended as provided by law.

31 (e) Temporary rules and regulations shall be numbered in
32 accordance with the numbering arrangement approved by the
33 secretary of state and otherwise shall conform to the approval,
34 adoption and filing requirements of this act, insofar as the same can be
35 made applicable.

36 ~~Sec. 3.~~ 6. K.S.A. ~~2018 Supp. 77-416 and~~, 77-420, 77-420a, 77-421
37 and 77-422 are hereby repealed.

38 ~~Sec. 4.~~ 7. This act shall take effect and be in force from and after its
39 publication in the ~~statute book~~ **Kansas register**.