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LEGISLATURE *of* THE STATE *of* KANSAS
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MEMORANDUM

To: Joint Committee on Administrative Rules and Regulations
From: Office of Revisor of Statutes
Date: December 13, 2022
Subject: HB 2087

HB 2087 requires review of rules and regulations every five years and amends several statutes concerning rules and regulation review by the director of budget.

Section 1 of the bill is now codified at K.S.A. 2022 Supp. 77-440. This section was amended into the bill during conference committee from Senate Substitute for SB 34. This section requires that all rules and regulations adopted by state agencies under the rules and regulations filing act be reviewed every five years. The agencies subject to the section shall report to the joint committee on the agency's review and evaluations of the agency's existing rules and regulations. The report shall include statements for each rule and regulation as to whether such rule and regulation is necessary for the implementation and administration of state law or may be revoked. Subsection (b)(2) sets out the schedule of years that state agencies are to submit such report, beginning in 2023. Subsection (d) prohibits a rule and regulation from being adopted unless it serves an identifiable public purpose to support state law and is no broader than necessary to meet such public purpose.

K.S.A. 77-426 was also amended in conference committee to include the process for revoking rule and regulations identified in K.S.A. 2022 Supp. 77-440 to be revoked. K.S.A. 77-436 was amended to not require the joint committee to review rules and regulations revoked pursuant to K.S.A. 77-426(d). The conference committee report was adopted in the Senate 34 – 4 on March 31, 2022. Then, the report was adopted in the House 105 – 12 on March 31, 2022.