

State of Wisconsin



2017 Senate Bill 100

Date of enactment: **August 2, 2017**

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2017 WISCONSIN ACT 39

AN ACT *to renumber and amend* 227.14 (6) (c); and *to create* 227.135 (5) and 227.14 (6) (c) 1. a. of the statutes; relating to: expiration of statements of scope for administrative rules.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 227.135 (5) of the statutes is created to read:

227.135 (5) A statement of scope shall expire on the date that is 30 months after the date on which it is published in the register. After a statement of scope expires, an agency may not submit a proposed rule based upon that statement of scope to the legislature for review under s. 227.19 (2), and any such rule that has not been submitted to the legislature for review before that date shall be considered withdrawn on that date as provided in s. 227.14 (6) (c) 1. a. For purposes of this subsection, a revised statement of scope prepared under sub. (4) shall expire on the date that is 30 months after the date on which the revised statement is published in the register.

SECTION 2. 227.14 (6) (c) of the statutes is renumbered 227.14 (6) (c) 1. (intro.) and amended to read:

227.14 (6) (c) 1. (intro.) A proposed rule shall be considered withdrawn on whichever of the following dates occurs first, unless it is withdrawn sooner by the agency under par. (b):

b. On December 31 of the 4th year after the year in which it is submitted to the legislative council staff under s. 227.15 (1), unless it has been filed with the legislative

reference bureau under s. 227.20 (1) ~~or withdrawn by the agency~~ before that date.

2. No action by a legislative committee or by either house of the legislature under s. 227.19 delays the date of withdrawal of a proposed rule under this paragraph.

SECTION 3. 227.14 (6) (c) 1. a. of the statutes is created to read:

227.14 (6) (c) 1. a. If the proposed rule is not submitted to the legislature for review under s. 227.19 (2) before the statement of the scope of the proposed rule expires as provided in s. 227.135 (5), on the date that statement of scope expires.

SECTION 4. Nonstatutory provisions.

(1) A statement of scope or revised statement of scope prepared under section 227.135 of the statutes that was published in the Wisconsin administrative register before the date specified in SECTION 5 (1) of this act shall expire on the date that is 30 months after the effective date of this subsection.

SECTION 5. Initial applicability.

(1) The treatment of section 227.135 (5), the renumbering and amendment of section 227.14 (6) (c), and the creation of section 227.14 (6) (c) 1. a. of the statutes first apply to a statement of scope that is published in the Wisconsin administrative register on the effective date of this subsection.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."