

Fiscal Estimate Narratives

DOR 5/23/2017

LRB Number	17-1207/1	Introduction Number	AB-0317	Estimate Type	Original
Description review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision.					

Assumptions Used in Arriving at Fiscal Estimate

EXPEDITED REPEAL OF UNAUTHORIZED RULES

The bill makes several changes to the rules process that create an expedited procedure for an agency to repeal a rule.

AGENCY REVIEW OF RULES

The bill requires each agency with any rules published in the code to biennially submit a report to the Joint Committee for Review of Administrative Rules (JCRAR) listing all of the rules promulgated or otherwise administered by that agency.

AGENCY REVIEW OF LEGISLATIVE ENACTMENTS

The bill requires agencies to review enactments of the legislature (acts) to determine whether any part of an act results in any of the following consequences:

1. Eliminates or restricts the agency's authority to promulgate any of the agency's rules.
2. Renders any of the agency's rules obsolete or unnecessary.
3. Renders, for any reason, any of the agency's rules not in conformity with or superseded by a state statute, including due to statutory numbering or terminology changes in the act.
4. Requires or otherwise necessitates rule making by the agency.

RETROSPECTIVE ECONOMIC IMPACT ANALYSES FOR EXISTING RULES.

The bill allows JCRAR to direct an agency to prepare a retrospective economic impact analysis for any of the agency's rules that are published in the code.

FISCAL EFFECT

The fiscal effect of the bill is indeterminate. The administrative costs associated with the preparation of retrospective economic impact analyses would depend on the scale and scope of requests made by JCRAR.

Long-Range Fiscal Implications