

2001 ASSEMBLY BILL 357

April 30, 2001 – Introduced by Representatives FOTI, WOOD, GUNDERSON, SERATTI, FRISKE, D. MEYER, FREESE, HUNDERTMARK, JESKEWITZ, KEDZIE, KESTELL, KRAWCZYK, M. LEHMAN, MUSSER, NASS, OWENS, POWERS, STONE, SUDER, SYKORA, TOWNSEND, URBAN, WADE and WARD, cosponsored by Senators ROSENZWEIG, DARLING, HUELSMAN and SCHULTZ. Referred to Committee on State Affairs.

1 **AN ACT to amend** 227.24 (1) (c) of the statutes; **relating to:** the duration of the
2 effect of emergency rules.

Analysis by the Legislative Reference Bureau

Under current law, an agency may promulgate a rule as an emergency rule without complying with the notice, hearing, and publication requirements for regular rule making if the rule is needed to preserve the public health, safety, or welfare. A rule promulgated as an emergency rule takes effect upon its publication in the official state newspaper and remains in effect for 150 days. Current law allows the agency to request that the joint committee for review of administrative rules extend the effective date of the emergency rule for additional periods not to exceed 60 days each, but with a maximum of 120 days for all of the extensions. Currently, a request for an extension of an emergency rule must be made at least 30 days before the expiration date of the rule. An agency that issues an emergency rule must hold a public hearing within 45 days after the date on which the rule is promulgated, or if the agency submits a rule to the legislative council staff that is the same as the emergency rule, the agency must hold a public hearing on both rules within 90 days after promulgating the emergency rule or within 30 days after the date on which the agency receives the report on the rule prepared by the legislative council, whichever is later.

