



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0693/P3
MED:kjf

DOA:.....Potts, BB0082 - Emergency Rule Publication

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau
STATE GOVERNMENT

ADMINISTRATIVE RULES; GUIDANCE DOCUMENTS

This bill provides that emergency rules promulgated by a state agency take effect upon publication in the Wisconsin Administrative Register. Current law provides that emergency rules take effect upon publication in the official state newspaper.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 227.24 (1) (c) of the statutes is amended to read:

227.24 (1) (c) A rule promulgated under par. (a) takes effect ~~upon publication in the official state newspaper~~ on the date the rule is published in the register under s. 35.93 (2) (b) 4. or on any later date specified in the rule and, except as provided under sub. (2), remains in effect only for 150 days.

SECTION 2. 227.24 (1) (d) of the statutes is amended to read:

227.24 (1) (d) A rule promulgated under par. (b) takes effect ~~upon publication in the official state newspaper on the date the rule is published in the register under s. 35.93 (2) (b) 4.~~ or on any later date specified in the rule and remains in effect for one year or until it is suspended or the proposed rule corresponding to it is objected to by the joint committee for review of administrative rules, whichever is sooner. If a rule under par. (b) is suspended or a proposed rule under s. 186.235 (21), 215.02 (18) or 220.04 (8) is objected to by the joint committee for review of administrative rules, any person may complete any transaction entered into or committed to in reliance on that rule and shall have 45 days to discontinue other activity undertaken in reliance on that rule.

SECTION 3. 458.05 (3) of the statutes is amended to read:

458.05 (3) When promulgating emergency rules under s. 227.24, the department shall provide a copy of the rules to the board prior to publication of the rules ~~in the official state newspaper~~ in the Wisconsin Administrative Register.

SECTION 4. 480.06 (2) of the statutes is amended to read:

480.06 (2) When promulgating emergency rules under s. 227.24, the department shall provide a copy of the rules to the board prior to publication of the rules ~~in the official state newspaper~~ in the Wisconsin Administrative Register.

SECTION 9352. Initial applicability; Other.

(1) EMERGENCY RULE PUBLICATION. The treatment of sections 227.24 (1) (c) and (d), 458.05 (3), and 480.06 (2) of the statutes first applies to an emergency rule filed with the legislative reference bureau under section 227.24 (3) of the statutes on the effective date of this subsection.

(END)