

# SENATE BILL NO. 331

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR EIGEL.

1185S.011

KRISTINA MARTIN, Secretary

## AN ACT

To amend chapter 536, RSMo, by adding thereto one new section relating to administrative rulemaking.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 536, RSMo, is amended by adding thereto  
2 one new section, to be known as section 536.203, to read as  
3 follows:

536.203. 1. If the fiscal notes required by sections  
2 536.200 and 536.205 exceed an estimated combined cost over  
3 two hundred fifty thousand dollars in the aggregate, the  
4 proposed rule shall not take effect until the ratification  
5 or disapproval by the general assembly either by bill or by  
6 concurrent resolution in accordance with the provisions of  
7 Article IV, Section 8 of the Missouri Constitution.

8 2. Any state agency filing a notice of proposed  
9 rulemaking that contains fiscal notes required by sections  
10 536.200 and 536.205 exceeding an estimated combined cost  
11 over two hundred fifty thousand dollars in the aggregate,  
12 shall submit such notice to the joint committee on  
13 administrative rules, as required by sections 536.024 and  
14 536.028, no later than thirty days prior to the next regular  
15 session of the general assembly. The joint committee on  
16 administrative rules shall hold in abeyance or suspend the  
17 order of rulemaking. The joint committee on administrative  
18 rules shall submit the proposed rule to the members of the  
19 general assembly as soon as practicable.

20           3. If the general assembly does not ratify a proposed  
21 rule that has been held in abeyance or suspended pursuant to  
22 this section by bill or concurrent resolution in accordance  
23 with the provisions of Article IV, Section 8 of the Missouri  
24 Constitution, the state agency shall not file the order of  
25 rulemaking for such proposed rule with the secretary of  
26 state and the secretary of state shall not publish any final  
27 order of rulemaking for such proposed rule in the Missouri  
28 Register.

29           4. No rule or portion of a rule promulgated under the  
30 authority of this chapter shall become effective until it  
31 has been ratified by the general assembly in accordance with  
32 the procedures provided for in this section.

33           5. Upon adoption of such bill or concurrent resolution  
34 as provided in this section, the secretary of state shall  
35 not publish the order of rulemaking until the expiration of  
36 time necessary for such bill or resolution to be signed by  
37 the governor, or vetoed and subsequently acted upon by the  
38 general assembly pursuant to Article III, Section 32 of the  
39 Missouri Constitution. If such bill or concurrent  
40 resolution is adopted and signed by the governor or  
41 otherwise reconsidered pursuant to Article III, Section 32  
42 of the Missouri Constitution, the secretary of state shall  
43 publish in the Missouri Register, as soon as practicable,  
44 the order of rulemaking along with notice of ratification by  
45 the general assembly.

46           6. Except as provided in section 536.025, any rule, or  
47 amendment or rescission thereof, shall be null, void, and  
48 unenforceable unless made in accordance with the provisions  
49 of this section.

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