

RÉSUMÉ DIGEST

ACT 245 (SB 43)

2015 Regular Session

Appel

Prior law, relative to BESE, required that state agencies comply with the rulemaking procedures set forth in the APA.

New law requires BESE to adopt rules in accordance with the APA for any program, statement, guideline, or requirement for conduct or action prescribed by the board, the state superintendent of education, and the state Dept. of Education.

New law requires each rule proposed by BESE to adopt, amend, suspend, or repeal state content standards for use in public elementary and secondary schools be submitted to the Senate and House education committees for review, in accordance with the APA. Provides that state content standards proposed to be adopted by rule shall not be subject to severability in consideration by a legislative committee or the governor in oversight determinations.

Prior law provided that legislative review of the rulemaking authority is delegated to state agencies, the legislature, and by concurrent resolution and limits suspension and repeal authority only to such a rule in its entirety and prohibits the legislature from amending the rule.

New law, as it relates to a BESE rule for state content standards, limits the authority of the governor to a veto or suspension of such a rule in its entirety.

Provides that new law is effective if HB 373 and HB 542 of the 2015 RS become effective.

(Amends R.S. 49:969 and 970; adds R.S. 17:6.1 and R.S. 49:968.1)