
DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 709 Original

2026 Regular Session

Wright

Abstract: Provides for the termination of rules promulgated pursuant to the Administrative Procedure Act and requires oversight committees to conduct hearings on proposed rules and to review agencies' annual rulemaking reports.

Present law, the Administrative Procedure Act (APA), establishes procedures for the adoption of rules by executive branch agencies.

Present law provides that prior to the adoption, amendment, or repeal of any rule, the agency shall give notice of its intended action and specifies the content of the notice.

Proposed law further requires an agency proposing to adopt a new rule to, at the same time, identify and give notice of its intention to repeal two rules of the agency. Requires the agency to identify the two rules in its notice of intent for the proposed new rule.

Present law provides that each rule adopted pursuant to the APA shall be effective upon its publication in the La. Register.

Proposed law retains present law and provides that a rule adopted in accordance with nonemergency procedures shall expire on June 30th of the year following the year of its adoption unless legislation is enacted to continue such rule to a certain date or indefinitely.

Present law provides that prior to the adoption, amendment, or repeal of any rule, the agency shall give notice of its intended action and specifies the content of the notice. Present law with respect to regular rulemaking, includes requirements that the agency submit a report including the notice of intended action to the appropriate standing committee of the legislature and the presiding officers of the respective houses on the same day the notice is submitted to the La. Register for publication and a subsequent report that includes public comments on the rule and any revisions of the proposed rule change since the initial report. Further requires each agency to submit an annual report of rulemaking activities to the appropriate oversight committee no later than 30 days prior to the beginning of each regular session. Authorizes the committee to hold a hearing on the report for the purposes of reviewing the report with the agency.

Present law specifies the standing committees of the legislature with oversight over rules from specific agencies and provides for the presiding officers to determine those not specified. Requires the chairman of each standing committee to which reports are submitted to appoint an oversight subcommittee and authorizes the oversight subcommittee to conduct hearings on all rules proposed

for adoption, amendment, or repeal. Provides procedures and time periods with respect thereto. Present law further specifies that a standing committee may, at any time, exercise the powers granted to an oversight subcommittee. Further authorizes each presiding officer to establish a select committee on oversight for his house of the legislature that, if established, may exercise the same power and authority granted under the provisions of present law to a standing committee or to an oversight subcommittee of a standing committee of that house of the legislature.

Proposed law removes present law provision that specifies that the failure of a subcommittee to conduct a hearing or to make a determination regarding any rule proposed for adoption, amendment, or repeal shall not affect the validity of a rule otherwise adopted in compliance with present law APA.

Proposed law further requires an oversight subcommittee to conduct hearings of all rules proposed for adoption, amendment, or repeal and additionally requires a standing committee to hold a hearing on an agency's annual rulemaking report for the purposes of reviewing the report with the agency.

Specifies that proposed law applies to rules proposed for adoption, amendment, or repeal and in a notice of intent submitted before the effective date of proposed law for publication in the La. Register.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 49:961(A)(1) and (2)(a) and 966(D)(1)(a) and (L); Adds R.S. 49:965(C); Repeals R.S. 49:966(E)(2))