

Regular Session, 2012

ACT No. 744

HOUSE BILL NO. 529

BY REPRESENTATIVE BARROW

1 AN ACT

2 To amend and reenact R.S. 49:968(B)(24), relative to administrative procedure; to require
3 agencies to send certain notifications and reports to legislators regarding certain
4 proposed rule or fee changes; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 49:968(B)(24) is hereby amended and reenacted to read as follows:

7 §968. Review of agency rules; fees

8 * * *

9 B. Prior to the adoption, amendment, or repeal of any rule or the adoption,
10 increasing, or decreasing of any fee, the agency shall submit a report relative to such
11 proposed rule change or fee adoption, increase, or decrease to the appropriate
12 standing committees of the legislature and the presiding officers of the respective
13 houses as provided in this Section. The report shall be so submitted on the same day
14 the notice of the intended action is submitted to the Louisiana Register for
15 publication in accordance with R.S. 49:953(A)(1). The report shall be submitted to
16 each standing committee at the committee's office in the state capitol by certified
17 mail with return receipt requested or by messenger who shall provide a receipt for
18 signature. The return receipt or the messenger's receipt shall be proof of receipt of
19 the report by the committee.

20 * * *

21 (24)(a) In addition to the submission of a report relative to a proposed rule
22 change or fee adoption, increase, or decrease by an agency to the appropriate
23 standing committee as specified in Paragraphs (1) through (23) of this Subsection,
24 whenever the fiscal impact of the rule or fee adoption, increase, or decrease, as
25 indicated by the statement of fiscal impact required by ~~R.S. 49:968~~ Paragraph (C)(5)

of this Section, exceeds one million dollars, the report on the proposed rule change or fee adoption, increase, or decrease shall also be submitted to the Senate Committee on Finance and the House Committee on Appropriations and shall be subject to review by those committees in the same manner and to the same extent as the review of the standing committees provided for in Paragraphs (1) through (23) of this Subsection.

(b) Whenever the fiscal impact or economic impact of the proposed rule change or fee adoption, increase, or decrease is five hundred thousand dollars or more as indicated by the statement of fiscal impact or the statement of economic impact required by Subsection C of this Section, the agency shall transmit the report provided for in Subsection C of this Section to each member of the legislature via electronic mail on the same day the notice of the intended action is submitted to the Louisiana Register for publication in accordance with R.S. 49:953.

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Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____