

FIRST REGULAR SESSION

HOUSE BILL NO. 697

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SMITH (150) (Sponsor), BURLISON, LONG, BAHR,
McNARY AND RICHARDSON (Co-sponsors).

1777L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 536, RSMo, by adding thereto one new section relating to the repromulgation of state administrative rules.

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

Section A. Chapter 536, RSMo, is amended by adding thereto one new section, to be
2 known as section 536.175, to read as follows:

3 **536.175. 1. All rules proposed, adopted or amended by any state agency after**
4 **August 28, 2011, shall automatically terminate six years after their effective date. If an**
5 **agency desires to continue the effectiveness of any rule beyond six years, the agency shall**
6 **repromulgate the rule under the procedures contained in section 536.021 at least once**
7 **every six years.**

8 **2. For each rule repromulgated under the provisions of this section, the agency**
9 **shall review the rule during the course of repromulgation to determine all of the following:**

10 **(1) Whether the rule should be continued without amendment, be amended, or be**
11 **rescinded, taking into consideration the purpose, scope, and intent of the statute under**
12 **which the rule was adopted;**

13 **(2) Whether the rule needs amendment or rescission to reduce regulatory burdens**
14 **on business;**

15 **(3) Whether the rule needs amendment or rescission to eliminate unnecessary**
16 **paperwork, or whether the rule incorporates a text or other material by reference and, if**
so, whether the text or other material incorporated by reference meets the requirements
of section 536.031; and

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(4) Whether the rule duplicates, overlaps with, or conflicts with other rules or**
18 **statutes.**

19 **3. In making the review required under subsection 2 of this section, the agency shall**
20 **consider the continued need for the rule, the nature of any complaints or comments**
21 **received concerning the rule, and any relevant factors that have changed in the subject**
22 **matter area affected by the rule.**

23 **4. The agency shall file a statement of its findings under this section with any**
24 **rulemakings filed under the procedures contained in section 536.021.**

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