

FIRST REGULAR SESSION

HOUSE BILL NO. 787

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (150).

1984L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 536.024 and 536.037, RSMo, and to enact in lieu thereof two new sections relating to administrative rules.

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

Section A. Sections 536.024 and 536.037, RSMo, are repealed and two new sections enacted in lieu thereof, to be known as sections 536.024 and 536.037, to read as follows:

536.024. 1. When the general assembly authorizes any state agency to adopt administrative rules or regulations, the granting of such rulemaking authority and the validity of such rules and regulations is contingent upon the agency complying with the provisions of this section in promulgating such rules after June 3, 1994.

2. Upon filing any proposed rule with the secretary of state, the filing agency shall concurrently submit such proposed rule to the joint committee on administrative rules, which may hold hearings upon any proposed rule or portion thereof at any time.

3. A final order of rulemaking shall not be filed with the secretary of state until thirty days after such final order of rulemaking has been received by the committee. The committee may hold one or more hearings upon such final order of rulemaking during the thirty-day period.

4. The committee may file with the secretary of state any comments or recommendations that the committee has concerning a proposed or final order of rulemaking. Such comments shall be published in the Missouri Register.

5. The committee may refer comments or recommendations concerning such rule to the appropriations and budget committees of the house of representatives and the appropriations committee of the senate for further action.

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 [6. The provisions of this section shall not apply to rules adopted by the labor and
18 industrial relations commission.]

536.037. 1. There is established a permanent joint committee of the general assembly
2 to be known as the "Committee on Administrative Rules", which shall be composed of five
3 members of the senate and five members of the house of representatives. The senate members
4 of the committee shall be appointed by the president pro tem of the senate and the house
5 members by the speaker of the house. The appointment of each member shall continue during
6 his term of office as a member of the general assembly unless sooner removed. No major party
7 shall be represented by more than three appointed members from either house.

8 2. The committee on administrative rules shall meet within ten days after its creation and
9 organize by selecting a chairman and a vice chairman, one of whom shall be a member of the
10 senate and one of whom shall be a member of the house of representatives. A majority of the
11 members constitutes a quorum. Meetings of the committee may be called at such time and place
12 as the chairman designates.

13 3. The committee shall review all rules promulgated by any state agency after January
14 1, 1976[, except rules promulgated by the labor and industrial labor relations commission]. In
15 its review the committee may take such action as it deems necessary which may include holding
16 hearings.

17 4. The members of the committee shall receive no compensation in addition to their
18 salary as members of the general assembly, but may receive their necessary expenses while
19 attending the meetings of the committee, to be paid out of the joint contingent fund.

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