

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2614

As Amended by Senate Committee of the Whole

Brief*

HB 2614, as amended, would amend Rules and Regulations Filing Act provisions authorizing expedited revocation of certain rules and regulations to require certain notifications be made during the revocation process.

Under current law, agencies are required to review all of its rules and regulations every five years. During that review, any rule and regulation identified by an agency as one the agency may revoke, can be revoked through an expedited process.

The bill would require a state agency to provide written notification to impacted businesses, local units of government, and members of the public known to the agency to be affected by the proposed revocation when it proposes to revoke a rule or regulation and submit the corresponding noticed rules and regulations to the Attorney General for review.

The bill would also make technical changes to remove state agencies that have been abolished and state agencies with no authority to propose rules and regulations from the lists of agencies required to submit reports to the Joint Committee on Administrative Rules and Regulations. Agencies required to report under the Act would be required to submit a report after review and evaluation of all of the agency's rules and regulations. Under continuing law, the report must include whether each rule and regulation is

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

necessary for the implementation and administration of state law or whether it may be revoked.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Elections at the request of a representative of the Secretary of State.

House Committee on Legislative Modernization

In the House Committee hearing on February 7, 2024, a representative of the Office of the Secretary of State provided **proponent** testimony. The proponent generally stated the current law does not mandate notification of the revocation of rules and regulations to interested parties, which is considered to be the best practice.

No other testimony was provided.

Senate Committee on Federal and State Affairs

In the Senate Committee hearing, a representative of the Office of the Secretary of State provided **proponent** testimony, generally stating that the bill would help clean up law to avoid confusion and provide for a consistent process for notification on proposed revocations.

No other testimony was provided.

The Senate Committee recommended the bill be placed on the Consent Calendar on March 21, 2024. The bill was withdrawn from the Consent Calendar and placed on General Orders on March 26, 2024.

Senate Committee of the Whole

The Senate Committee amended the bill to clarify that notice must be provided to members of the public who are known to the agency to be affected by a proposed revocation change the effective date to upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Secretary of State indicates enactment of the bill would have no fiscal impact on the agency, but may impact agencies that are required to provide notice to affected businesses, local government, and members of the public of rules and regulations to be revoked after review.

Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2025 Governors Budget Report*.

Rules; regulations; rules and regulations; notification; notices; revocation