

Fiscal Estimate Narratives

LC 6/26/2017

LRB Number	17-3287/1	Introduction Number	SB-322	Estimate Type	Original
Description review by state agencies of administrative rules and enactments; an expedited process for repealing rules an agency no longer has the authority to promulgate; retrospective economic impact analyses for rules; and reporting by the Legislative Reference Bureau on rules in need of revision					

Assumptions Used in Arriving at Fiscal Estimate

Among its provisions, the bill would require the Legislative Council staff to review agency petitions for the repeal of unauthorized rules, and to review those petitions in the same manner the Legislative Council staff currently reviews proposed permanent administrative rules. Current law relating to review of proposed rules specifies that the Legislative Council staff must generally complete its review of a rule within 20 working days of its receipt.

Currently, the Legislative Council staff reviews about 100 proposed permanent administrative rules in each calendar year. Agency rulemaking to remove or modify rules following changes to statutory authority represents a portion of these reviews. Thus, submission of some rules under the "unauthorized rule" petition process created under the bill would likely result in a diversion of proposed rules from the current process, resulting in no additional workload for the Legislative Council staff. If the petition process is used to repeal more unauthorized rules than those presently submitted under the current process, Legislative Council staff anticipate the ability to absorb the cost of reviewing those petitions with minimal impact on its ability to carry out existing duties.

Long-Range Fiscal Implications