



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0055/1
MED:klm

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 100**

April 20, 2017 - Offered by Senator NASS.

1 **AN ACT** *to renumber and amend* 227.14 (6) (c); and *to create* 227.135 (5) and
2 227.14 (6) (c) 1. a. of the statutes; **relating to:** expiration of statements of scope
3 for administrative rules.

Analysis by the Legislative Reference Bureau

Under current law, an agency must prepare a statement of the scope of any administrative rule that it plans to promulgate that contains certain information about the agency's proposal to promulgate the rule. This substitute amendment provides for the expiration of a statement of scope 30 months after the date on which the statement is published in the Wisconsin Administrative Register. The substitute amendment provides that once a statement of scope expires, an agency may not submit a proposed rule based on that statement of scope to the legislature for final review, and any such rule that has not yet been submitted to the legislature is considered withdrawn.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 227.135 (5) of the statutes is created to read:

1 227.135 (5) A statement of scope shall expire on the date that is 30 months after
2 the date on which it is published in the register. After a statement of scope expires,
3 an agency may not submit a proposed rule based upon that statement of scope to the
4 legislature for review under s. 227.19 (2), and any such rule that has not been
5 submitted to the legislature for review before that date shall be considered
6 withdrawn on that date as provided in s. 227.14 (6) (c) 1. a. For purposes of this
7 subsection, a revised statement of scope prepared under sub. (4) shall expire on the
8 date that is 30 months after the date on which the revised statement is published in
9 the register.

10 **SECTION 2.** 227.14 (6) (c) of the statutes is renumbered 227.14 (6) (c) 1. (intro.)
11 and amended to read:

12 227.14 (6) (c) 1. (intro.) A proposed rule shall be considered withdrawn on
13 whichever of the following dates occurs first, unless it is withdrawn sooner by the
14 agency under par. (b):

15 b. On December 31 of the 4th year after the year in which it is submitted to the
16 legislative council staff under s. 227.15 (1), unless it has been filed with the
17 legislative reference bureau under s. 227.20 (1) ~~or withdrawn by the agency~~ before
18 that date.

19 2. No action by a legislative committee or by either house of the legislature
20 under s. 227.19 delays the date of withdrawal of a proposed rule under this
21 paragraph.

22 **SECTION 3.** 227.14 (6) (c) 1. a. of the statutes is created to read:

23 227.14 (6) (c) 1. a. If the proposed rule is not submitted to the legislature for
24 review under s. 227.19 (2) before the statement of the scope of the proposed rule
25 expires as provided in s. 227.135 (5), on the date that statement of scope expires.

