
SUBSTITUTE HOUSE BILL 2498

State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Ludwig, Forner, Cantwell, Sheldon, Dellwo, Bray, Roland, Rasmussen, Moyer, Rayburn, Grant, H. Myers, Paris, Riley, Edmondson, Kremen, Ferguson, Winsley, Wineberry, Jones, Dorn, Franklin, Ebersole, Bowman, May, Heavey, Ogden, Cooper, Pruitt, O'Brien, Hine, Nelson and P. Johnson)

Read first time 02/11/92.

1 AN ACT Relating to regulatory fairness; adding new sections to
2 chapter 19.85 RCW; adding new sections to chapter 34.05 RCW; adding a
3 new section to chapter 43.17 RCW; and adding new sections to chapter
4 43.31 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.85 RCW
7 to read as follows:

8 When any rule is proposed for which a small business economic
9 impact statement is required, the adopting agency shall provide notice
10 to small businesses of the proposed rule through any of the following:

11 (1) Direct notification of known interested small businesses or
12 trade organizations affected by the proposed rule; or

1 (2) Providing information of the proposed rule making to
2 publications likely to be obtained by small businesses of the types
3 affected by the proposed rule.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.85 RCW
5 to read as follows:

6 When feasible, the adopting agency may appoint a committee, as
7 provided in RCW 34.05.310, to comment on the subject of the possible
8 rule making before the publication of notice of proposed rule adoption
9 under RCW 34.05.320.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 34.05 RCW
11 to read as follows:

12 The joint administrative rules review committee may review any rule
13 to determine whether an agency complied with the regulatory fairness
14 requirements of chapter 19.85 RCW.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 34.05 RCW
16 to read as follows:

17 The joint administrative rules review committee shall provide
18 notice, conduct its hearings and reviews, and provide notice of
19 committee objections to small business economic impact statements
20 required under chapter 19.85 RCW in the same manner as is provided for
21 notice, hearings, reviews, and objections to rules under this chapter.

22 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.17 RCW
23 to read as follows:

24 The rules coordinator under RCW 34.05.310 shall be knowledgeable
25 regarding the agency's rules that affect businesses. The rules
26 coordinator shall provide a list of agency rules applicable at the time

1 of the request to a specific class or line of business, which are
2 limited to that specific class or line as opposed to generic rules
3 applicable to most businesses, to the business assistance center when
4 so requested by the business assistance center for the specific class
5 or line of business.

6 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.31 RCW
7 to read as follows:

8 The business assistance center shall coordinate the provision of
9 better and more reliable information by state agencies regarding state
10 rules that affect specific classes or lines of businesses. When
11 requested, the business assistance center shall compile a list of state
12 rules applicable at the time of the request to a specific class or line
13 of business, which are limited to that specific class or line as
14 opposed to generic rules applicable to most businesses, by obtaining a
15 list from the rules coordinator for each applicable agency. The
16 business assistance center shall make every effort to include complete
17 and accurate information on the lists. Each list requested shall
18 include the statement: "The state shall not be financially liable for
19 errors or omissions in this document. Compliance with rules identified
20 in this document does not excuse the business from requirements to
21 comply with other applicable rules."

22 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.31 RCW
23 to read as follows:

24 The state shall not be financially liable for errors or omissions
25 in providing any document required to be produced under section 6 of
26 this act. Compliance with rules identified under section 6 of this act
27 does not excuse the business from requirements to comply with other
28 applicable rules.