SENATE BILL REPORT
SB 5054

As of January 20, 2003

Title: An act relating to providing businesses with notice of administrative rules.

Brief Description: Providing businesses with notice of administrative rules.

Sponsors: Senators Hale, Rasmussen, Kastama, Winsley, Schmidt, Honeyford, T. Sheldon, Hewitt, Johnson, Esser, Sheahan and Oke.

Brief History:
  Committee Activity: Government Operations & Elections: 1/21/03.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Staff: Mac Nicholson (786-7445)

Background: The primary institutional means for providing notice to the public of agencies' rule-making activities is the Washington Administrative Code published by the Code Reviser in the Washington State Register. Persons interested in receiving copies of particular rule-making documents may request them from the relevant agency's rules coordinator. There are some sections of the Administrative Procedure Act that state that all persons who request a rule-making document from an agency shall be provided with one.

All rules proposed by an agency must either provide a Small Business Economic Impact Statement (SBEIS) or provide an explanation why the SBEIS was not prepared. The SBEIS process requires the agency to provide notice of a proposed rule to small business either by direct notification to known interested small businesses or trade organizations or by notification to relevant trade journals.

Summary of Bill: For some newly effective rules, agencies must make a good faith effort to notify businesses affected by the rule of the rule's requirements and how the business can get help with complying. This requirement applies up to 200 days after the rule's effective date and only applies to rules that impose additional requirements on businesses, the violation of which subjects a business to penalties or sanctions. The requirement does not apply to emergency rules.

Appropriation: None.

Fiscal Note: Requested on January 15, 2003.

Effective Date: Ninety days after adjournment of session in which bill is passed.