

FINAL BILL REPORT

ESSB 5766

C 246 L 03
Synopsis as Enacted

Brief Description: Providing businesses with notice of certain administrative rules.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Roach, Reardon, Kastama, Stevens, McCaslin, Esser, McAuliffe, Rasmussen and Hale).

Senate Committee on Government Operations & Elections
House Committee on State Government
House Committee on Appropriations

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: For some newly effective rules, the departments of Employment Security, Labor and Industries, Ecology and Natural Resources must notify businesses affected by the rule of the rule's requirements, how the business can appeal the rule and how to get help in complying with the rule. This requirement applies from before, or 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. These agencies must develop a process to make this communication.

Votes on Final Passage:

Senate	48 0
House	93 0

Effective: July 27, 2003