
SENATE BILL 5053

State of Washington

58th Legislature

2003 Regular Session

By Senators Hale, McCaslin, Schmidt, Honeyford, Parlette, T. Sheldon, Hewitt, Johnson and Oke

Read first time 01/13/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to requiring legislative authority for agencies to
2 adopt rules that exceed federal standards; and adding new sections to
3 chapter 34.05 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 34.05 RCW
6 to read as follows:

7 No agency may adopt a rule that exceeds a federal standard without
8 specific legislative authority. The legislature may grant such
9 authority pursuant to a request by an agency. A requesting agency
10 shall present to the appropriate standing committees of the house of
11 representatives and the senate:

12 (1) A written justification detailing the unique reasons why
13 Washington state policy must exceed federal policy; and

14 (2) A cost-benefit analysis that clearly outlines the economic
15 impacts for Washington's business or other regulated entities.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 34.05 RCW
17 to read as follows:

18 By July 1, 2004, each state agency must review existing rules that

1 exceed federal standards and prepare a report for the office of
2 financial management and the joint administrative rules review
3 committee that outlines the grant of authority used to exceed those
4 standards. If the agency has relied on a general grant of authority in
5 adopting the rules, the agency shall either repeal the rules or seek
6 specific authority from the legislature as allowed under section 1 of
7 this act. If specific authority is not obtained by July 1, 2006, the
8 agency shall repeal the rule.

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