
**State Government, Elections &
Information Technology Committee**

HB 2431

Brief Description: Eliminating the joint administrative rules review committee.

Sponsors: Representative Hudgins.

Brief Summary of Bill

- Eliminates the Joint Administrative Rules Review Committee.

Hearing Date: 1/17/18

Staff: Sean Flynn (786-7124).

Background:

Administrative Procedures Act. The Administrative Procedures Act (APA) requires agencies to follow certain procedural requirements when proposing and adopting rules of general applicability regarding licensing, regulations, and other agency actions. Rules must be filed with the Office of the Code Reviser and published in the Washington State Register. The rule-making requirements apply to any state department, board, commission, or officer with rule-making authority. The legislative and judicial branches are exempt from the APA requirements. The Governor's office, the Attorney General, and certain executive agency activities are also exempt.

Joint Administrative Rules Review Committee. The Joint Administrative Rules Review Committee (JARRC) is a bipartisan legislative committee created in 1981 that reviews selected proposed and existing agency rules. The JARRC may review whether: a rule fits within the legislative intent of the authorizing statute; a rule was adopted in accordance with the law; or a policy, guideline, or interpretative statement is being applied by an agency as a rule. The JARRC may recommend that the Governor suspend a rule or that the Legislature repeal or amend the applicable authorizing statute if it finds that a rule is not in compliance with the law.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Rules Review. Any person may petition the JARRC for a review of a proposed or existing rule, a proposed or existing policy, or an interpretive statement of general applicability. If the JARRC issues an adverse finding on a rule, the agency in question is required to conduct a hearing on the committee's findings.

Within 30 days of receipt of the petition, the JARRC must acknowledge receipt of the petition and describe any initial action taken. If the petition is rejected, a written statement of the reasons for rejection must be included. The JARRC must make a final decision on a petitioned rule within 90 days of the receipt of the petition. If the JARRC is dissatisfied with the agency response to its findings, it may publish notice of its dissatisfaction in the State Register, recommend to the Governor that he or she suspend the rule, or refer the matter to a standing policy committee of the Legislature.

Summary of Bill:

The JARRC is repealed from statute and all activities and functions of the JARRC are eliminated.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.