
SENATE BILL 5798

State of Washington 65th Legislature 2017 Regular Session

By Senators Braun, O'Ban, Brown, King, Short, Fortunato, Sheldon, Warnick, Angel, Becker, Schoesler, Zeiger, and Wilson

Read first time 02/10/17. Referred to Committee on State Government.

1 AN ACT Relating to administrative procedures; and adding a new
2 section to chapter 34.05 RCW.

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

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

6 (1) When any agency is required or authorized by law to adopt
7 rules under this chapter, this section applies.

8 (2) No rule may be adopted except within the power delegated to
9 the agency and as authorized by law. A rule is not deemed to be
10 within the statutory authority of an agency merely because the rule
11 is not contrary to the specific provisions of a statute. Any rule or
12 amendment to an existing rule adopted by any agency that conflicts
13 with a statute is void.

14 (3) Beginning July 1, 2017, any rule adopted or amended before
15 November 1st of any year expires on June 1st of the year following
16 adoption unless the legislature by bill acts to postpone the
17 expiration. The postponement of the expiration of a rule does not
18 constitute legislative approval of the rule nor is the postponement
19 admissible in any court as evidence of legislative intent.

1 (4) Any rule that is expired under subsection (3) of this section
2 may not be readopted by an agency unless expressly authorized by
3 statute.

4 NEW SECTION. **Sec. 2.** If any provision of this act or its
5 application to any person or circumstance is held invalid, the
6 remainder of the act or the application of the provision to other
7 persons or circumstances is not affected.

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