

HOUSE BILL REPORT

SSB 5835

As Reported by House Committee On:
State Government & Tribal Relations

Title: An act relating to transparency in rule making.

Brief Description: Concerning transparency in rule making.

Sponsors: Senate Committee on State Government & Elections (originally sponsored by Senators Wilson, L., Dozier, Gildon, Mullet and Wilson, J.).

Brief History:

Committee Activity:

State Government & Tribal Relations: 2/16/24, 2/20/24 [DP].

Brief Summary of Substitute Bill

- Requires a state agency's rulemaking website to include a summary, of 100 words or less and written in plain language, of each rule that has been proposed or adopted by the agency within the past 12 months.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 7 members: Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson, Low and Mena.

Staff: Desiree Omli (786-7105).

Background:

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 qualifying agency actions. The rulemaking requirements

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apply to any state department, board, commission, or officer with rulemaking authority. The legislative and judicial branches, the Governor, and the Attorney General are exempt from the APA requirements.

Rules must be filed with the Office of the Code Reviser and published in the Washington State Register. If resources permit, state agencies must maintain a website that contains the agency's rulemaking information including the complete text of all rules proposed or adopted by that agency within the past 12 months.

Summary of Bill:

A state agency's rulemaking website must include a summary of each rule that has been proposed or adopted by the agency within the past 12 months. The summary must be 100 words or less and written in plain language.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

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

Staff Summary of Public Testimony:

(In support) Statutes and rules can be difficult to understand. These laws should be written in clear and plain language that is easily understood by its intended audience. Small businesses are regulated by rules, and small business owners want to comply with the law but find it difficult at times to understand the law as written. Small business owners wear many hats and typically do not have law degrees to navigate some of the complex language in federal and state regulations. Providing these regulations to the public in plain language will help individuals comply with the law. Congress passed a similar law.

There also needs to be follow through to make sure that agency rules are accurate. To achieve this, there should be an entity other than the Joint Administrative Rules Review Committee to hold agencies accountable.

(Opposed) None.

Persons Testifying: Senator Lynda Wilson, prime sponsor; David Sedelmeier; and Mark Johnson, Washington Retail Association.

Persons Signed In To Testify But Not Testifying: None.