

SENATE BILL REPORT

SB 5835

As Reported by Senate Committee On:
State Government & Elections, January 12, 2024

Title: An act relating to transparency in rule making.

Brief Description: Concerning transparency in rule making.

Sponsors: Senators Wilson, L., Dozier, Gildon, Mullet and Wilson, J..

Brief History:

Committee Activity: State Government & Elections: 1/09/24, 1/12/24 [DPS].

Brief Summary of First Substitute Bill

- Requires agency rule-making webpages to include a plain-language summary of 100 words or less detailing each proposed rule, emergency rule, and permanent rule proposed or adopted within the last 12 months.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5835 be substituted therefor, and the substitute bill do pass.

Signed by Senators Hunt, Chair; Valdez, Vice Chair; Wilson, J., Ranking Member; Dozier, Fortunato, Hasegawa and Kuderer.

Staff: Danielle Creech (786-7412)

Background: Current law requires Washington State agencies to maintain a rule-making webpage containing the complete text of all proposed rules, emergency rules, and permanent rules proposed or adopted within the last 12 months. For all proposed rules, the webpage must also include the date, time, and place for the rule-making hearing as well as procedures and timelines for submitting written comments. Agencies must display a link to the rule-making webpage on the agency website homepage.

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

Federal law requires federal agencies to provide a general notice of all proposed rule making to be published on the Federal Register, including: a statement of the time, place, and nature of public rulemaking proceedings; a reference to the legal authority under which the rule is proposed; the substance of the proposed rule or a description of the subjects and issues involved; and a link to a summary of less than 100 words of the proposed rule in plain language.

Summary of Bill (First Substitute): State agency rule-making websites must provide a plain-language description in 100 words or less of each proposed rule, emergency rule, and permanent rule proposed or adopted within the last 12 months.

EFFECT OF CHANGES MADE BY STATE GOVERNMENT & ELECTIONS COMMITTEE (First Substitute):

- Clarifies that each proposed rule, emergency rule, and permanent rule receives its own summary.

Appropriation: None.

Fiscal Note: Requested on January 5, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: It can be challenging for some of these businesses to understand new rules and this is a great step in the right direction. This is a great way to bridge the often cumbersome gap between government agencies and the public. This will also ensure transparency in the rulemaking process.

Persons Testifying: PRO: Senator Lynda Wilson, Prime Sponsor; Mark Johnson, Washington Retail Association; eric pratt.

Persons Signed In To Testify But Not Testifying: No one.