

ADOPTED SENATE

Senators Seabaugh of the 28th and Cowser of the 46th offered the following amendment:

1 *Amend the House substitute to SB 352 (LC 25 5196S) by inserting after "so as" on line 3 of*
 2 *page 1 the following:*

3 to provide an alternate method for a General Assembly objection to administrative rules;
 4 to provide that the effectiveness of a challenged agency rule may be stayed until the
 5 General Assembly has the opportunity to take action on such rule at the next legislative
 6 session; to provide for related matters;

7 *By revising lines 10 and 11 of page 1 to read as follows:*

8 actions to contest rules, and legislative override, is amended by revising subsections (f),
 9 (g), and (i) as follows:

10 *By inserting between lines 11 and 12 of page 1 the following:*

11 "(f)(1) In the event a standing committee to which a notice is assigned as provided in
 12 subsection (e) of this Code section files an objection to a proposed rule prior to its
 13 adoption and the agency adopts the proposed rule over the objection, the rule may be
 14 considered by the branch of the General Assembly whose committee objected to its
 15 adoption by the introduction of a resolution for the purpose of overriding the rule at any
 16 time within the first 30 days of the next regular session of the General Assembly. It shall
 17 be the duty of any agency which adopts a proposed rule over such objection so to notify
 18 the presiding officers of the Senate and the House of Representatives, the chairmen of the
 19 Senate and House committees to which the rule was referred, and the legislative counsel
 20 within ten days after the adoption of the rule. In the event the resolution is adopted by
 21 such branch of the General Assembly, it shall be immediately transmitted to the other
 22 branch of the General Assembly. It shall be the duty of the presiding officer of the other
 23 branch of the General Assembly to have such branch, within five days after the receipt
 24 of the resolution, to consider the resolution for the purpose of overriding the rule. In the
 25 event the resolution is adopted by two-thirds of the votes of each branch of the General
 26 Assembly, the rule shall be void on the day after the adoption of the resolution by the
 27 second branch of the General Assembly. In the event the resolution is ratified by less
 28 than two-thirds of the votes of either branch, the resolution shall be submitted to the
 29 Governor for his or her approval or veto. In the event of his or her veto, the rule shall
 30 remain in effect. In the event of his or her approval, the rule shall be void on the day after
 31 the date of his or her approval.

1 (2) In the event each standing committee to which a notice is assigned as provided in
2 subsection (e) of this Code section files an objection to a proposed rule prior to its
3 adoption by a two-thirds' vote of the members of the committee who were voting
4 members on the tenth day of the current session, after having given public notice of the
5 time, place, and purpose of such vote at least 48 hours in advance, as well as the
6 opportunity for members of the public including the promulgating agency, to have a
7 reasonable time to comment on the proposed committee action at the hearing, the
8 effectiveness of such rule shall be stayed until the next legislative session at which time
9 the rule may be considered by the General Assembly by the introduction of a resolution
10 in either branch of the General Assembly for the purpose of overriding the rule at any
11 time within the first 30 days of the next regular session of the General Assembly. In the
12 event the resolution is adopted by the branch of the General Assembly in which it was
13 introduced, it shall be immediately transmitted to the other branch of the General
14 Assembly. It shall be the duty of the presiding officer of the other branch of the General
15 Assembly to have such branch, within five days after the receipt of the resolution, to
16 consider the resolution for the purpose of overriding the rule. In the event the resolution
17 is adopted by two-thirds of the votes of each branch of the General Assembly, the rule
18 shall be void on the day after the adoption of the resolution by the second branch of the
19 General Assembly. In the event the resolution is ratified by less than two-thirds of the
20 votes of either branch, the resolution shall be submitted to the Governor for his or her
21 approval or veto. In the event of his or her veto, the rule shall remain in effect. In the
22 event of his or her approval, the rule shall be void on the day after the date of his or her
23 approval. If after the thirtieth legislative day of the legislative session of which the
24 challenged rule was to be considered the General Assembly has not considered an
25 override of the challenged rule pursuant to this subsection, the rule shall then immediately
26 take effect.

27 *By deleting the quotation marks at the beginning of line 12 of page 1.*