

ADOPTED

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

1 *Amend the Senate Finance Committee substitute to HB 982 by inserting after "Revenue;" on*
 2 *line 5 the following:*

3 to change certain provisions relating to procedural requirements for adoption, amendment,
 4 or repeal of rules, limitation on action to contest rule, and legislative override of agency
 5 rules; to provide for legislative stay of agency rules;

6 *By redesignating Sections 4 and 5 as Sections 5 and 6, respectively, and adding after Section*
 7 *3 the following:*

SECTION 4.

9 Said title is further amended in Code Section 50-13-4, relating to procedural requirements
 10 for adoption, amendment, or repeal of rules, limitation on action to contest rule, and
 11 legislative override of agency rules, by revising paragraph (2) of subsection (f) as follows:

12 "(2) In the event ~~each~~ either standing committee to which a notice is assigned as provided
 13 in subsection (e) of this Code section files an objection to a proposed rule prior to its
 14 adoption by a ~~two-thirds'~~ majority vote of the members of the committee who were voting
 15 members on the tenth day of the current session, after having given public notice of the
 16 time, place, and purpose of such vote at least 48 hours in advance, as well as the
 17 opportunity for members of the public including the promulgating agency, to have a
 18 reasonable time to comment on the proposed committee action at the hearing, the
 19 effectiveness of such rule shall be stayed until the next legislative session at which time
 20 the rule may be considered by the General Assembly by the introduction of a resolution
 21 in either branch of the General Assembly for the purpose of overriding the rule at any
 22 time within the first 30 days of the next regular session of the General Assembly. In the
 23 event the resolution is adopted by the branch of the General Assembly in which it was
 24 introduced, it shall be immediately transmitted to the other branch of the General
 25 Assembly. It shall be the duty of the presiding officer of the other branch of the General
 26 Assembly to have such branch, within five days after the receipt of the resolution, to
 27 consider the resolution for the purpose of overriding the rule. In the event the resolution
 28 is adopted by two-thirds of the votes of each branch of the General Assembly, the rule
 29 shall be void on the day after the adoption of the resolution by the second branch of the
 30 General Assembly. In the event the resolution is ratified by less than two-thirds of the
 31 votes of either branch, the resolution shall be submitted to the Governor for his or her
 32 approval or veto. In the event of his or her veto, the rule shall remain in effect. In the

33 event of his or her approval, the rule shall be void on the day after the date of his or her
34 approval. If after the thirtieth legislative day of the legislative session of which the
35 challenged rule was to be considered the General Assembly has not considered an
36 override of the challenged rule pursuant to this subsection, the rule shall then immediately
37 take effect."