The Senate Committee on Economic Development and Tourism offered the following substitute to SB 28:

A BILL TO BE ENTITLED

AN ACT

To amend Titles 28, 31, and 50 of the Official Code of Georgia Annotated, relating to the General Assembly, health, and state government, respectively, so as to provide for procedures and processes concerning the enactment of legislation and the adoption of rules and regulations; to provide definitions; to provide for the preparation and submission of small business impact analyses for bills introduced during sessions of the General Assembly; to provide for contracting; to provide for the revision of small business impact analyses; to provide for legislative construction; to revise procedures concerning the adoption of administrative rules; to revise procedures within the General Assembly concerning objections to proposed administrative rules; to provide for effective dates for adopted administrative rules; to provide for periodic review and sunset of administrative rules; to conform cross-references; to provide for related matters; to provide a short title; to provide effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I

SECTION 1-1.

This Act shall be known and may be cited as the "Red Tape Rollback Act of 2025."

PART II

SECTION 2-1.

Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is amended in Chapter 5, relating to financial affairs, by adding a new article to read as follows:

"ARTICLE 3B

28-5-57.

As used in this article, the term 'small business' means a business that is independently owned and operated, is not dominant in its field, and employs 300 or fewer employees.

28-5-58.

(a) Prior to the convening of a session of the General Assembly, the Governor, the President of the Senate, or any member of the General Assembly may request that the Office of Planning and Budget and the Department of Audits and Accounts prepare a small business impact analysis of any bill. Following the convening of a session of the General Assembly, a small business impact analysis for a bill may only be requested by the Governor, the President of the Senate, the Speaker of the House of Representatives, or the chairperson of a committee to which such bill has been assigned. A small business impact analysis shall estimate the economic costs and benefits that such bill may have on small businesses in the state and shall include, if any, the estimated impacts on:

35 (1) The costs of providing goods and services;
36 (2) The availability and cost of workers;
37 (3) Industry competition or consumer choice; and
38 (4) Potential costs of compliance.
39 (b) A small business impact analysis requested pursuant to subsection (a) of this Code
40 section shall be prepared and submitted by the director of the Office of Planning and
41 Budget and the state auditor within 30 days after receipt of the request or, if requested
42 during a session of the General Assembly, within ten days after receipt of such request. A
43 copy of the small business impact analysis shall be submitted to:
44 (1) The Governor;
45 (2) The President of the Senate;
46 (3) The Speaker of the House of Representatives;
47 (4) The chairperson of the committee to which the bill that is the subject of the small
48 business impact analysis is assigned in the house of the General Assembly in which the
49 bill was introduced;
50 (5) The sponsor of the bill that is the subject of the small business impact analysis;
51 (6) The individual who requested the small business impact analysis, if such individual
52 is not listed in paragraphs (1) through (5) of this subsection;
53 (7) The Secretary of the Senate; and
54 (8) The Clerk of the House of Representatives.
55 (c)(1) If a bill that is the subject of a small business impact analysis prepared pursuant
56 to subsection (a) of this Code section is amended or is proposed to be amended, the
57 Office of Planning and Budget and the Department of Audits and Accounts shall revise
58 such small business impact analysis to account for the amended version of such bill upon
59 the request of:

60 (A) The Governor, the President of the Senate, or any member of the General
61 Assembly, if such request is made prior to the convening of a session of the General
62 Assembly; or
63 (B) The Governor, the President of the Senate, the Speaker of the House of
64 Representatives, or the chairperson of a committee to which such bill has been
65 assigned, if such request is made after the convening of a session of the General
66 Assembly.
67 (2) A revised small business impact analysis requested pursuant to paragraph (1) of this
68 subsection shall be prepared and submitted by the director of the Office of Planning and
69 Budget and the state auditor in the same manner as the original small business impact
70 analysis pursuant to subsection (b) of this Code section.
71 (d)(1) The Office of Planning and Budget and the Department of Audits and Accounts
72 may contract with a person or persons independent of state government to prepare any
73 small business impact analysis or revised small business impact analysis requested
74 pursuant to this Code section.
75 (2) When preparing a small business impact analysis or revised small business impact
76 analysis requested pursuant to this Code section, the Office of Planning and Budget, the
77 Department of Audits and Accounts, and any person or persons contracted with under
78 paragraph (1) of this subsection may consult with other units of state government, units
79 of local government, and business, industry, and community stakeholders impacted by
80 or having an interest in the bill that is the subject of such small business impact analysis.
81 (e) Any small business impact analysis or revised small business impact analysis prepared
82 for a bill pursuant to this Code section shall be attached to the bill by the Secretary of the
83 Senate or the Clerk of the House of Representatives and shall be read to the members of
84 each respective house of the General Assembly at the third reading of such bill. In
85 addition, a copy of each small business impact analysis or revised small business impact
86 analysis prepared for a bill pursuant to this Code section shall be distributed to each

87 member of the respective house of the General Assembly before which such bill is pending
88 prior to any such bill being voted upon by such house of the General Assembly.

89 28-5-59.
90 Nothing in this article shall be construed to require any degree of formality of proof of
91 compliance with any requirement of this article, and any enrolled bill shall be conclusively
92 presumed to have been enacted in compliance with the requirements of this article."

93 **SECTION 2-2.**
94 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
95 in Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or
96 repeal of rules, emergency rules, limitation on action to contest rule, and legislative override,
97 by revising subsections (a), (b), (e), and (f) as follows:
98 "(a) Prior to the adoption, amendment, or repeal of any rule, other than interpretive rules
99 or general statements of policy, the agency shall consider the economic impact of the
100 proposed rule and shall:
101 (1) Give at least 30 days' notice of its intended action. The notice shall include an exact
102 copy of the proposed rule and a synopsis of the proposed rule. The synopsis shall be
103 distributed with and in the same manner as the proposed rule. The synopsis shall contain
104 a statement of the purpose and the main features of the proposed rule, and, in the case of
105 a proposed amendatory rule, the synopsis also shall indicate the differences between the
106 existing rule and the proposed rule. The notice shall also include the exact date on which
107 the agency shall consider the adoption of the proposed rule and shall include the time and
108 place in order that interested persons may present their views thereon. The notice shall
109 also contain a citation of the authority pursuant to which the rule is proposed for adoption
110 and, if the proposal is an amendment or repeal of an existing rule, the existing rule shall
111 be clearly identified. For any proposed rule for which the agency reasonably anticipates

112 that $1 million or more in cumulative implementation and compliance costs are
113 reasonably expected to be incurred by or passed along to individuals, businesses, and
114 units of local government as the result of the proposed rule over the initial five-year
115 period following the effective date of such proposed rule, the agency shall prepare and
116 there shall be included with the notice an economic analysis of the impact of the proposed
117 rule. If the agency determines that such cumulative implementation and compliance costs
118 of a proposed rule will be less than $1 million over the initial five-year period following
119 the effective date of such proposed rule, the agency shall prepare and there shall be
120 included with the notice a statement explaining the agency's rationale in making such
121 determination. An economic impact analysis required to be prepared by an agency and
122 included in the notice of a proposed rule under this paragraph shall include the following:
123 (A) An estimate, and identification when possible, of the number of individuals,
124 businesses, and units of local government subject to the proposed rule;
125 (B) The projected reporting, record keeping, and other administrative costs and time
126 required for compliance with the proposed rule, including the types of professional
127 skills necessary for preparation of any documentation, records, or reports required by
128 the proposed rule;
129 (C) A statement of the probable effect of the rule on impacted individuals, businesses,
130 and units of local government;
131 (D) Whether the proposed rule is mandated by federal law as a requirement for
132 participating in or implementing a federally subsidized or assisted program and whether
133 the proposed rule exceeds the requirements of such applicable federal law;
134 (E) A comparison of the anticipated costs and benefits of the proposed rule;
135 (F) A description of the efforts taken by the agency to minimize the cost and impact
136 of the proposed rule on individuals, businesses, and units of local government in this
137 state; and

138 (G) Such other provisions or information the agency deems reasonably necessary for
139 the General Assembly and the public to assess the economic impact of the proposed
140 rule.
141 The notice shall be mailed to all persons who have requested in writing that they be
142 placed upon a mailing list which shall be maintained by the agency for advance notice
143 of its rule-making proceedings and who have tendered the actual cost of such mailing as
144 from time to time estimated by the agency and to the Office of Planning and Budget or
145 other designee of the Governor;
146 (2) Afford to all interested persons reasonable opportunity to submit data, views, or
147 arguments, orally or in writing. In the case of substantive rules, opportunity for oral
148 hearing must be granted if requested by 25 persons who will be directly affected by the
149 proposed rule, by a governmental subdivision, or by an association having not less
150 than 25 members. The agency shall consider fully all written and oral submissions
151 respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so
152 by an interested person either prior to adoption or within 30 days thereafter, shall issue
153 a concise statement of the principal reasons for and against its adoption and incorporate
154 therein its reason for overruling the consideration urged against its adoption;
155 (3) In the formulation and adoption of any rule which will have an economic impact on
156 businesses in the state, reduce the economic impact of the rule on small businesses which
157 are independently owned and operated, are not dominant in their field, and
158 employ ~~100~~ 300 employees or ~~less~~ fewer by implementing one or more of the following
159 actions when it is legal and feasible in meeting the stated objectives of the statutes which
160 are the basis of the proposed rule:
161 (A) Establish ~~differing~~ reduced compliance or reporting requirements ~~or~~ and differing
162 timetables for small businesses;
163 (B) Clarify, consolidate, or simplify the compliance and reporting requirements under
164 the rule for small businesses;

165 (C) Establish performance rather than design standards for small businesses; or
166 (D) Exempt small businesses from any or all requirements of the rules;
167 (4) In the formulation and adoption of any rule which places administrative burdens on
168 charitable organizations in this state, including, but not limited to, any rule that would
169 require any new or expanded filing or reporting requirements or that would limit the
170 ability of charitable organizations to solicit or collect funds~~, the agency or official shall~~:
171 (A) Absent the showing of a compelling state interest, not impose any annual filing or
172 reporting requirements on an organization regulated or specifically exempted from
173 regulation under Chapter 17 of Title 43, the 'Georgia Charitable Solicitations Act of
174 1988,' that are more burdensome than the requirements authorized by applicable law,
175 and any such filing or reporting requirements shall be narrowly tailored to achieve such
176 compelling state interest. The requirements of this subparagraph shall not apply to the
177 state's direct spending programs; and
178 (B) Email the notice provided for in paragraph (1) of this subsection to each
179 chairperson of any standing committee in each house as shown on the General
180 Assembly's public website.
181 For purposes of this paragraph, the term 'charitable organization' means a nonprofit
182 charitable organization which is exempt from taxation under the provisions of
183 Section 501(c)(3) of the United States Internal Revenue Code; and
184 (5) In the formulation and adoption of any rule, ~~an agency shall~~ choose an alternative
185 that does not impose excessive regulatory costs on any regulated person or entity which
186 costs could be reduced by a less expensive alternative that fully accomplishes the stated
187 objectives of the statutes which are the basis of the proposed rule.
188 (b) If any agency finds that an imminent peril to the public health, safety, or welfare,
189 including, but not limited to, summary processes such as quarantines, contrabands,
190 seizures, and the like authorized by law without notice, requires adoption of a rule,
191 including a rule that would require an economic impact analysis if adopted pursuant to

192 subsection (a) of this Code section, upon fewer than 30 days' notice and states in writing
193 its reasons for that finding, it may proceed without prior notice or hearing or upon any
194 abbreviated notice and hearing that it finds practicable to adopt an emergency rule. Any
195 such rule adopted relative to a public health emergency shall be submitted as promptly as
196 reasonably practicable to the House of Representatives and Senate Committees on
197 Judiciary, provided that any such rule adopted relative to a state of emergency by the State
198 Election Board shall be submitted as soon as practicable but not later than 20 days prior to
199 the rule taking effect. Any emergency rule adopted by the State Election Board pursuant
200 to the provisions of this subsection may be suspended upon the majority vote of the House
201 of Representatives or Senate Committees on Judiciary within ten days of the receipt of such
202 rule by the committees. The ~~rule may be effective for a period of not longer than 120 days~~
203 ~~but~~ adoption of an emergency rule pursuant to the provisions of this subsection shall not
204 preclude the adoption of an identical rule under ~~paragraphs (1) and (2) of~~ subsection (a) of
205 this Code section ~~is not precluded; provided, however, that such a rule adopted pursuant~~
206 ~~to discharge of responsibility under an executive order declaring a state of emergency or~~
207 ~~disaster exists as a result of a public health emergency, as defined in Code Section 38-3-3,~~
208 ~~shall be effective for the duration of the emergency or disaster and for a period of not more~~
209 ~~than 120 days thereafter~~."
210 "(e)(1) The agency shall transmit the notice provided for in paragraph (1) of
211 subsection (a) of this Code section to the legislative counsel. The notice shall be
212 transmitted at least 30 days prior to the date of the agency's intended action.
213 (2) Within three days after receipt of the notice, if possible, the legislative counsel shall
214 furnish the presiding officers of each house with a copy of the notice, and, except for
215 notices concerning a proposed rule for which an economic impact analysis is required
216 pursuant to paragraph (1) of subsection (a) of this Code section, the presiding officers
217 shall assign the notice to the chairperson of the appropriate standing committee in each
218 house for review and any member thereof who makes a standing written request. In the

event a presiding officer is unavailable for the purpose of making the assignment within the time limitations, the legislative counsel shall assign the notice to the chairperson of the appropriate standing committee. The legislative counsel shall also transmit within the time limitations provided in this subsection a notice of the assignment to the chairperson of the appropriate standing committee. Each standing committee of the Senate and the House of Representatives is granted all the rights provided for interested persons and governmental subdivisions in paragraph (2) of subsection (a) of this Code section.

(3) For any proposed rule that is adopted by an agency for which an economic impact analysis is required pursuant to paragraph (1) of subsection (a) of this Code section, it shall be the duty of the agency to notify the presiding officers of the Senate and the House of Representatives and the legislative counsel of such adoption within ten days after the adoption of the rule. Such rule may then be considered by the General Assembly as provided in paragraph (3) of subsection (f) of this Code section.

(f)(1) In the event a standing committee to which a notice is assigned as provided in subsection (e) of this Code section ~~files an objection~~ objects to a proposed rule prior to its adoption and the agency adopts the proposed rule over the objection, the rule may be considered by the ~~branch~~ house of the General Assembly whose committee objected to its adoption by the introduction of a resolution for the purpose of overriding the rule at any time within the first 30 days of the next regular session of the General Assembly. It shall be the duty of any agency which adopts a proposed rule over such objection so to notify the presiding officers of the Senate and the House of Representatives, the chairpersons of the Senate and House committees to which the rule was referred, and the legislative counsel within ten days after the adoption of the rule. In the event the resolution is adopted by such ~~branch~~ house of the General Assembly, it shall be immediately transmitted to the other ~~branch~~ house of the General Assembly. It shall be the duty of the presiding officer of the other ~~branch~~ house of the General Assembly to have such ~~branch~~ house, within five days after the receipt of the resolution, to consider

the resolution for the purpose of overriding the rule. In the event the resolution is adopted by two-thirds of the votes of each ~~branch~~ house of the General Assembly, the rule shall be void on the day after the adoption of the resolution by the second ~~branch~~ house of the General Assembly. In the event the resolution is ratified by less than two-thirds of the votes of either ~~branch~~ house, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of ~~his or her~~ the Governor's veto, or if no resolution is introduced for the purpose of overriding the rule, or if the resolution introduced is not approved by at least a majority of the vote of each house of the General Assembly, the rule shall remain ~~in effect~~ adopted and shall become or remain effective in accordance with the provisions of Code Section 50-13-6. In the event of ~~his or her approval~~ the Governor's approval of the resolution, the rule shall be void on the day after the date of his or her approval.

(2) In the event each standing committee to which a notice is assigned as provided in subsection (e) of this Code section ~~files an objection~~ objects to a proposed rule prior to its adoption by a two-thirds' vote of the members of the committee ~~who were voting members on the tenth day of the current session~~, after having given public notice of the time, place, and purpose of such vote at least 48 hours in advance, as well as the opportunity for members of the public, including the promulgating agency, to have a reasonable time to comment on the proposed committee action at the hearing, ~~the effectiveness of~~ such rule shall ~~be stayed until the next legislative session at which time the rule may be considered by the General Assembly by the introduction of a resolution in either branch of the General Assembly for the purpose of overriding the rule at any time within the first 30 days of the next regular session of the General Assembly~~ not be adopted by the promulgating agency and shall instead be deemed withdrawn by the promulgating agency unless such agency, within the first 15 days of the next regular session of the General Assembly, transmits written notification to the chairpersons of the objecting committees that such agency does not intend to withdraw such rule but instead

intends to adopt such rule following adjournment sine die of that regular session. Such notification shall include a detailed statement setting forth the basis for and necessity of the proposed rule, an explanation of how the adoption of the proposed rule is within the authority of the promulgating agency, any alternatives to the proposed rule considered by the promulgating agency, and the potential costs or adverse effects of the proposed rule, as well as the identification of those likely to bear such costs or adverse effects. A resolution objecting to the intended adoption of the proposed rule may be introduced in either house of the General Assembly after the fifteenth day but before the thirtieth day of the regular session in which the notice of intent not to withdraw the proposed rule was given by the promulgating agency in accordance with this paragraph. In the event the resolution is adopted by the ~~branch~~ house of the General Assembly in which it was introduced, it shall be immediately transmitted to the other ~~branch~~ house of the General Assembly. It shall be the duty of the presiding officer of the other ~~branch~~ house of the General Assembly to have such ~~branch~~ house, within five days after the receipt of the resolution, to consider the resolution for the purpose of ~~overriding~~ objecting to the intended adoption of the proposed rule. In the event the resolution is adopted by two-thirds of the votes of each ~~branch~~ house of the General Assembly, the proposed rule ~~shall be void on the day after the adoption of the resolution by the second branch of the General Assembly~~ shall be disapproved and shall not be adopted by the promulgating agency. In the event the resolution is ratified by less than two-thirds of the votes of either ~~branch~~ house, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of ~~his or her~~ the Governor's veto, ~~the rule shall remain in effect~~ or if no resolution is introduced objecting to the proposed rule, or if the resolution introduced is not approved by at least a majority of the vote of each house of the General Assembly, the proposed rule shall automatically become adopted the day following adjournment sine die of that regular session and shall become effective in accordance with the provisions of Code Section 50-13-6. In the event of ~~his or her~~ the Governor's

300 approval of the resolution, the proposed rule shall be ~~void on the day after the date of his~~
301 ~~or her approval~~ disapproved and shall not be adopted by the promulgating agency. ~~If~~
302 ~~after the thirtieth legislative day of the legislative session of which the challenged rule~~
303 ~~was to be considered the General Assembly has not considered an override of the~~
304 ~~challenged rule pursuant to this subsection, the rule shall then immediately take effect.~~
305 (3) Any proposed rule for which an economic impact analysis is required pursuant to
306 paragraph (1) of subsection (a) of this Code section that is adopted by an agency may be
307 considered by either house of the General Assembly by the introduction of a resolution
308 for the purpose of ratifying the rule at any time within the first 30 days of the next regular
309 session of the General Assembly. In the event the resolution is adopted by a house of the
310 General Assembly, it shall be immediately transmitted to the other house of the General
311 Assembly. It shall be the duty of the presiding officer of the other house of the General
312 Assembly to have such house, within five days after the receipt of the resolution, to
313 consider the resolution for the purpose of ratifying the rule. In the event the resolution
314 is adopted by two-thirds of the votes of each house of the General Assembly, the rule
315 shall remain adopted and shall become effective in accordance with the provisions of
316 Code Section 50-13-6. In the event the resolution is ratified by less than two-thirds of the
317 votes of either house, the resolution shall be submitted to the Governor for his or her
318 approval or veto. In the event of the Governor's approval of the resolution, the rule shall
319 remain adopted and shall become effective in accordance with the provisions of Code
320 Section 50-13-6. In the event of the Governor's veto, or if no resolution is introduced for
321 the purpose of ratifying the rule, or if the resolution introduced is not approved by at least
322 a majority of the vote of each house of the General Assembly, the rule shall be void and
323 shall not take effect."

SECTION 2-3.

Said title is further amended by revising Code Section 50-13-6, relating to rules not effective until 20 days after filed with the Secretary of State, maintenance of record of the rules, exceptions, and rules governing manner and form of filing, as follows:

"50-13-6.

(a)(1) ~~Each rule adopted after July 1, 1965, shall not become effective until the expiration of 20 days after the rule is filed in the office of the Secretary of State~~ Except for emergency rules adopted pursuant to subsection (b) of Code Section 50-13-4, any rule that is adopted shall not become effective unless it is filed with the office of the Secretary of State and such rule, if filed with the office of the Secretary of State between January 1 and June 30 of a calendar year, shall become effective on July 1 of that year or, if filed with the office of the Secretary of State between July 1 and December 31 of a calendar year, shall become effective on January 1 of the immediately succeeding calendar year. Each rule so filed shall contain a citation of the authority pursuant to which it was adopted and, if an amendment or repeal of an existing rule, shall clearly identify the original rule.

(2) No adopted rule for which an economic impact analysis is required pursuant to paragraph (1) of subsection (a) of Code Section 50-13-4 shall be filed with the office of the Secretary of State, and such office shall not accept the filing of such rule, unless and until such rule is ratified in accordance with paragraph (3) of subsection (f) of Code Section 50-13-4. Once such rule is so ratified, it may be filed with the office of the Secretary of State and take effect in accordance with the provisions of paragraph (1) of this subsection based on the date such rule is so filed.

(b) Any emergency rule adopted pursuant to subsection (b) of Code Section 50-13-4 shall:

(1) Become effective immediately upon its adoption or on such later date as the promulgating agency may prescribe and may be effective for a period of not longer than 120 days; provided, however, that such an emergency rule adopted pursuant to a

351 discharge of responsibility under an executive order declaring that a state of emergency
352 or disaster exists as a result of a public health emergency, as defined in Code Section
353 38-3-3, shall be effective for the duration of the emergency or disaster and for a period
354 of not more than 120 days thereafter; and
355 (2) Be filed, along with a copy of the finding as required by subsection (b) of Code
356 Section 50-13-4, with the office of the Secretary of State within four days after its
357 adoption.
358 ~~(b)~~(c) The Secretary of State shall endorse on each rule thus filed the time and date of
359 filing and shall maintain a record of the rules for public inspection.
360 ~~(c) The 20 day filing period is subject to the following exceptions:~~
361 ~~(1) Where a statute or the terms of the rule require a date which is later than the 20 day~~
362 ~~period, then the later date is the effective date; and~~
363 ~~(2) Any emergency rule adopted pursuant to subsection (b) of Code Section 50-13-4 may~~
364 ~~become effective immediately upon adoption or within a period of less than 20 days. The~~
365 ~~emergency rule, with a copy of the finding as required by subsection (b) of Code~~
366 ~~Section 50-13-4, shall be filed with the office of the Secretary of State within four~~
367 ~~working days after its adoption.~~
368 (d) The Secretary of State shall prescribe rules governing the manner and form in which
369 regulations shall be prepared for filing. The Secretary may refuse to accept for filing any
370 rule that does not conform to such requirements.″

371 **SECTION 2-4.**

372 Said title is further amended by adding new Code sections to read as follows:
373 ″50-13-24.
374 (a) Not later than July 1, 2027, the Office of Planning and Budget or other designee of the
375 Governor shall establish and publish a schedule for the review of the rules of all agencies,
376 subject to the provisions of this chapter, on a four-year cycle, with the first of such reviews

377 occurring in the 2028 calendar year. In establishing such schedule, the Office of Planning
378 and Budget or other designee of the Governor shall take into consideration the volume of
379 rules that will be subject to review in any given year and the ability of the public to provide
380 meaningful input into such reviews. An agency that has been through a review under this
381 Code section previously and, in the intervening years since such last review, has decreased
382 the number of its rules by 10 percent or more shall be exempt from review under this Code
383 section during that cycle.
384 (b) The Office of Planning and Budget or other designee of the Governor shall notify in
385 December of the immediately preceding year each agency whose rules are subject to
386 review in a given calendar year of the upcoming review period. All rules of an agency that
387 are scheduled for review under this Code section shall stand automatically repealed on
388 December 31 of the review year unless the rules are continued or repromulgated pursuant
389 to this Code section.
390 (c) In the year of review, each agency shall undertake an analysis of each of its rules and
391 shall create a written report of the results of such analysis. Such analysis shall consider:
392 (1) Whether the benefits sought to be achieved by the rule are being realized and are in
393 compliance with current law;
394 (2) Whether such benefits justify the costs of implementing and complying with the
395 provisions of the rule; and
396 (3) Whether there are less restrictive and less costly alternatives to accomplish the
397 desired benefits or results.
398 The Office of Planning and Budget or other designee of the Governor shall develop and
399 provide to each agency a standardized process and forms for such analysis and shall make
400 such process and forms available on the Office of Planning and Budget's public website not
401 later than October 1, 2027. Such analysis shall be completed not later than September 1
402 of the year of review. Such analysis shall be published on the agency's public website upon

403 its completion and shall be submitted to the Office of Planning and Budget or other
404 designee of the Governor for review.
405 (d) As a part of the rules analysis process, each agency shall solicit public input on the
406 impact, cost, and effectiveness of its rules. The public shall be notified of the opportunity
407 to provide such input in a manner designed to obtain the widest possible public notification
408 of interested parties, as well as by mailing such notice to all persons who have requested
409 in writing that they be placed upon the mailing list maintained by the agency for advance
410 notice of its rule-making proceedings. The notice shall include a date by which public
411 input shall be submitted for consideration which shall be not less than 30 days after the date
412 the notice is published. Such notice shall be published not later than March 1 of the review
413 year. In addition, the agency shall conduct at least two public hearings to receive public
414 comment on its rules. Such public hearings shall be held in a manner designed to
415 maximize public input and shall be completed not later than July 1 of the review year.
416 (e) Agencies that desire to continue their rules in effect shall not simply repromulgate the
417 rules and regulations without critical review of the necessity, effectiveness, and cost of
418 such rules; without considering possible less onerous, less costly, and more effective
419 alternatives to such rules; and without determining whether such rules or regulations are
420 actually necessary.
421 (f) Any rule that an agency desires to continue or repromulgate shall be repromulgated in
422 the same manner as for new rules under this chapter. Any continuation or repromulgation
423 of a rule shall reduce or maintain the current regulatory burden and costs of such rule and
424 shall not increase such burden or costs.
425 (g) The provisions of this Code section shall not apply to constitutional officers or their
426 respective agencies, as such terms are defined in subsection (a) of Code Section 50-13-25.

427 50-13-25.
428 (a) As used in this Code section, the term:

429 (1) 'Constitutional officer' means the Attorney General, the Secretary of State, the
430 Commissioner of Agriculture, the Commissioner of Insurance, the Commissioner of
431 Labor, the commissioners of the Public Service Commission, and the State School
432 Superintendent.
433 (2) 'Respective agency' means:
434 (A) With respect to the Attorney General, the Department of Law;
435 (B) With respect to the Secretary of State, the office of the Secretary of State;
436 (C) With respect to the Commissioner of Agriculture, the Department of Agriculture;
437 (D) With respect to the Commissioner of Insurance, the Department of Insurance;
438 (E) With respect to the Commissioner of Labor, the Department of Labor;
439 (F) With respect to the commissioners of the Public Service Commission, the Public
440 Service Commission; and
441 (G) With respect to the State School Superintendent, the Department of Education.
442 (b) All constitutional officers shall, subject to the provisions of this chapter, review all of
443 the rules promulgated by such constitutional officers, their predecessors, or their respective
444 agencies that are in effect every four years, with the first year of review being the 2028
445 calendar year. In subsequent review years after 2028, each constitutional officer and such
446 officer's respective agency that has, in the intervening years since such last review,
447 decreased the number of its rules by 10 percent or more shall be exempt from review under
448 this Code section during that year of review.
449 (c) All rules of a constitutional officer and such officer's respective agency that are
450 scheduled for review under this Code section shall stand automatically repealed on
451 December 31 of the review year unless the rules are continued or repromulgated pursuant
452 to this Code section.
453 (d) In the year of review, each constitutional officer and such officer's respective agencies
454 shall undertake an analysis of each of its rules and shall create a written report of the results
455 of such analysis. Such analysis shall consider:

456 (1) Whether the benefits sought to be achieved by the rule are being realized and are in
457 compliance with current law;
458 (2) Whether such benefits justify the costs of implementing and complying with the
459 provisions of the rule; and
460 (3) Whether there are less restrictive and less costly alternatives to accomplish the
461 desired benefits or results.
462 Such analysis shall be completed not later than September 1 of the year of review. Such
463 analysis shall be published by the constitutional officer on such officer's respective
464 agency's public website upon its completion.
465 (e) As a part of the rules analysis process, each constitutional officer and such officer's
466 respective agency shall solicit public input on the impact, cost, and effectiveness of its
467 rules. The public shall be notified of the opportunity to provide such input in a manner
468 designed to obtain the widest possible public notification of interested parties, as well as
469 by mailing such notice to all persons who have requested in writing that they be placed
470 upon the mailing list maintained by each constitutional officer or such officer's respective
471 agency for advance notice of its rule-making proceedings. The notice shall include a date
472 by which public input shall be submitted for consideration which shall be not less than 30
473 days after the date the notice is published. Such notice shall be published not later than
474 March 1 of the review year. In addition, each constitutional officer and such officer's
475 respective agency shall conduct at least two public hearings to receive public comment on
476 its rules. Such public hearings shall be held in a manner designed to maximize public input
477 and shall be completed not later than July 1 of the review year.
478 (f) Constitutional officers and their respective agencies that desire to continue their rules
479 in effect shall not simply repromulgate the rules and regulations without critical review of
480 the necessity, effectiveness, and cost of such rules; without considering possible less
481 onerous, less costly, and more effective alternatives to such rules; and without determining
482 whether such rules or regulations are actually necessary.

483 (g) Any rule that a constitutional officer or such officer's respective agency desires to
484 continue or repromulgate shall be repromulgated in the same manner as for new rules under
485 this chapter. Any continuation or repromulgation of a rule shall reduce or maintain the
486 current regulatory burden and costs of such rule and shall not increase such burden or
487 costs."

488 **PART III**

489 **SECTION 3-1.**

490 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Code
491 Section 31-6-21.1, relating to procedures for rule making by the Department of Community
492 Health, by revising subsections (c) and (f) as follows:
493 "(c) Any rule or part thereof to which an objection is made by both committees within the
494 30 day objection period under subsection (b) of this Code section shall not be adopted by
495 the department and shall be invalid if so adopted. A rule or part thereof thus prohibited
496 from being adopted shall be deemed to have been withdrawn by the department unless the
497 department, within the first 15 days of the next regular session of the General Assembly,
498 transmits written notification to each member of the objecting committees that the
499 department does not intend to withdraw that rule or part thereof but intends to adopt the
500 specified rule or part ~~effective the day~~ following adjournment sine die of that regular
501 session. A resolution objecting to such intended adoption may be introduced in either
502 ~~branch~~ house of the General Assembly after the fifteenth day but before the thirtieth day
503 of the session in which occurs the notification of intent not to withdraw a rule or part
504 thereof. In the event the resolution is adopted by the ~~branch~~ house of the General
505 Assembly in which the resolution was introduced, it shall be immediately transmitted to
506 the other ~~branch~~ house of the General Assembly. It shall be the duty of the presiding
507 officer of the other ~~branch~~ house to have that ~~branch~~ house, within five days after receipt

of the resolution, consider the resolution for purposes of objecting to the intended adoption of the rule or part thereof. Upon such resolution being adopted by two-thirds of the vote of each ~~branch~~ house of the General Assembly, the rule or part thereof objected to in that resolution shall be disapproved and not adopted by the department. If the resolution is adopted by a majority but by less than two-thirds of the vote of each such ~~branch~~ house, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of a veto, or if no resolution is introduced objecting to the rule, or if the resolution introduced is not approved by at least a majority of the vote of each such ~~branch~~ house, the rule shall automatically become adopted the day following adjournment sine die of that regular session. In the event of the Governor's approval of the resolution, the rule shall be disapproved and not adopted by the department."

"(f) Emergency rules shall not be subject to the requirements of subsection (b), (c), or (d) of this Code section but shall be subject to the requirements of subsection (b) of Code Section 50-13-4 and subsection (b) of Code Section 50-13-6. Upon the first expiration of any department emergency rules, where those emergency rules are intended to cover matters which had been dealt with by the department's nonemergency rules but such nonemergency rules have been objected to by both legislative committees under this Code section, the emergency rules concerning those matters may not again be adopted except for one 120 day period. No emergency rule or part thereof which is adopted by the department shall be valid unless adopted in compliance with this subsection."

SECTION 3-2.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Code Section 50-13A-20, relating to applicability of provisions, by revising paragraph (3) of subsection (b) as follows:

"(3) Code Section 50-13-6, except for ~~paragraph (2) of~~ subsection ~~(c)~~(b);"

533 **PART IV**

534 **SECTION 4-1.**

535 (a) Except as provided for in subsection (b) of this section, this Act shall become effective
536 upon its approval by the Governor or upon its becoming law without such approval.
537 (b) Section 2-4 of this Act shall become effective on June 1, 2027.

538 **SECTION 4-2.**

539 All laws and parts of laws in conflict with this Act are repealed.