

Senate Bill 28

By: Senators Dolezal of the 27th, Kennedy of the 18th, Gooch of the 51st, Anavitarte of the 31st, Robertson of the 29th and others

**AS PASSED SENATE**

A BILL TO BE ENTITLED

AN ACT

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

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14

**PART I**

15

**SECTION 1-1.**

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

17

**PART II**

18

**SECTION 2-1.**

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

21

**"ARTICLE 3B**22 28-5-57.

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

25 28-5-58.

26 (a) Prior to the convening of a session of the General Assembly, the Governor, the  
27 President of the Senate, or any member of the General Assembly may request that the  
28 Office of Planning and Budget and the Department of Audits and Accounts prepare a small  
29 business impact analysis of any bill; provided, however, that no member of the General  
30 Assembly who is not the Speaker of the House of Representatives or the chairperson of a  
31 standing committee shall be permitted to request a small business impact analysis for more  
32 than three bills during any one period that the General Assembly is not in session.  
33 Following the convening of a session of the General Assembly, a small business impact  
34 analysis for a bill may only be requested by the Governor, the President of the Senate, the

35 Speaker of the House of Representatives, or the chairperson of a committee to which such  
36 bill has been assigned. A small business impact analysis shall estimate the economic costs  
37 and benefits that such bill may have on small businesses in the state and shall include, if  
38 any, the estimated impacts on:

- 39 (1) The costs of providing goods and services;
- 40 (2) The availability and cost of workers;
- 41 (3) Industry competition or consumer choice; and
- 42 (4) Potential costs of compliance.

43 (b) A small business impact analysis requested pursuant to subsection (a) of this Code  
44 section shall be prepared and submitted by the director of the Office of Planning and  
45 Budget and the state auditor within 30 days after receipt of the request or, if requested  
46 during a session of the General Assembly, within ten days after receipt of such request. A  
47 copy of the small business impact analysis shall be submitted to:

- 48 (1) The Governor;
- 49 (2) The President of the Senate;
- 50 (3) The Speaker of the House of Representatives;
- 51 (4) The chairperson of the committee to which the bill that is the subject of the small  
52 business impact analysis is assigned in the house of the General Assembly in which the  
53 bill was introduced;
- 54 (5) The sponsor of the bill that is the subject of the small business impact analysis;
- 55 (6) The individual who requested the small business impact analysis, if such individual  
56 is not listed in paragraphs (1) through (5) of this subsection;
- 57 (7) The Secretary of the Senate; and
- 58 (8) The Clerk of the House of Representatives.

59 (c)(1) If a bill that is the subject of a small business impact analysis prepared pursuant  
60 to subsection (a) of this Code section is amended or is proposed to be amended, the  
61 Office of Planning and Budget and the Department of Audits and Accounts shall revise

62 such small business impact analysis to account for the amended version of such bill upon  
63 the request of:

64 (A) The Governor, the President of the Senate, or any member of the General  
65 Assembly, if such request is made prior to the convening of a session of the General  
66 Assembly; or

67 (B) The Governor, the President of the Senate, the Speaker of the House of  
68 Representatives, or the chairperson of a committee to which such bill has been  
69 assigned, if such request is made after the convening of a session of the General  
70 Assembly.

71 (2) A revised small business impact analysis requested pursuant to paragraph (1) of this  
72 subsection shall be prepared and submitted by the director of the Office of Planning and  
73 Budget and the state auditor in the same manner as the original small business impact  
74 analysis pursuant to subsection (b) of this Code section.

75 (d)(1) The Office of Planning and Budget and the Department of Audits and Accounts  
76 may contract with a person or persons independent of state government to prepare any  
77 small business impact analysis or revised small business impact analysis requested  
78 pursuant to this Code section.

79 (2) When preparing a small business impact analysis or revised small business impact  
80 analysis requested pursuant to this Code section, the Office of Planning and Budget, the  
81 Department of Audits and Accounts, and any person or persons contracted with under  
82 paragraph (1) of this subsection may consult with other units of state government, units  
83 of local government, and business, industry, and community stakeholders impacted by  
84 or having an interest in the bill that is the subject of such small business impact analysis.

85 (e) Any small business impact analysis or revised small business impact analysis prepared  
86 for a bill pursuant to this Code section shall be attached to the bill by the Secretary of the  
87 Senate or the Clerk of the House of Representatives and shall be read to the members of  
88 each respective house of the General Assembly at the third reading of such bill. In

89 addition, a copy of each small business impact analysis or revised small business impact  
90 analysis prepared for a bill pursuant to this Code section shall be distributed to each  
91 member of the respective house of the General Assembly before which such bill is pending  
92 prior to any such bill being voted upon by such house of the General Assembly.

93 28-5-59.

94 Nothing in this article shall be construed to require any degree of formality of proof of  
95 compliance with any requirement of this article, and any enrolled bill shall be conclusively  
96 presumed to have been enacted in compliance with the requirements of this article."

97 **SECTION 2-2.**

98 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
99 in Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or  
100 repeal of rules, emergency rules, limitation on action to contest rule, and legislative override,  
101 by revising subsections (a), (b), (e), and (f) as follows:

102 "(a) Prior to the adoption, amendment, or repeal of any rule, other than interpretive rules  
103 or general statements of policy, the agency shall consider the economic impact of the  
104 proposed rule and shall:

105 (1) Give at least 30 days' notice of its intended action. The notice shall include an exact  
106 copy of the proposed rule and a synopsis of the proposed rule. The synopsis shall be  
107 distributed with and in the same manner as the proposed rule. The synopsis shall contain  
108 a statement of the purpose and the main features of the proposed rule, and, in the case of  
109 a proposed amendatory rule, the synopsis also shall indicate the differences between the  
110 existing rule and the proposed rule. The notice shall also include the exact date on which  
111 the agency shall consider the adoption of the proposed rule and shall include the time and  
112 place in order that interested persons may present their views thereon. The notice shall  
113 also contain a citation of the authority pursuant to which the rule is proposed for adoption

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

139 (F) A description of the efforts taken by the agency to minimize the cost and impact  
140 of the proposed rule on individuals, businesses, and units of local government in this  
141 state; and

142 (G) Such other provisions or information the agency deems reasonably necessary for  
143 the General Assembly and the public to assess the economic impact of the proposed  
144 rule.

145 The notice shall be mailed to all persons who have requested in writing that they be  
146 placed upon a mailing list which shall be maintained by the agency for advance notice  
147 of its rule-making proceedings and who have tendered the actual cost of such mailing as  
148 from time to time estimated by the agency and to the Office of Planning and Budget or  
149 other designee of the Governor;

150 (2) Afford to all interested persons reasonable opportunity to submit data, views, or  
151 arguments, orally or in writing. In the case of substantive rules, opportunity for oral  
152 hearing must be granted if requested by 25 persons who will be directly affected by the  
153 proposed rule, by a governmental subdivision, or by an association having not less  
154 than 25 members. The agency shall consider fully all written and oral submissions  
155 respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so  
156 by an interested person either prior to adoption or within 30 days thereafter, shall issue  
157 a concise statement of the principal reasons for and against its adoption and incorporate  
158 therein its reason for overruling the consideration urged against its adoption;

159 (3) In the formulation and adoption of any rule which will have an economic impact on  
160 businesses in the state, reduce the economic impact of the rule on small businesses which  
161 are independently owned and operated, are not dominant in their field, and  
162 employ ~~100~~ 300 employees or ~~less~~ fewer by implementing one or more of the following  
163 actions when it is legal and feasible in meeting the stated objectives of the statutes which  
164 are the basis of the proposed rule:

- 165 (A) Establish ~~differing~~ reduced compliance or reporting requirements ~~or~~ and differing  
 166 timetables for small businesses;
- 167 (B) Clarify, consolidate, or simplify the compliance and reporting requirements under  
 168 the rule for small businesses;
- 169 (C) Establish performance rather than design standards for small businesses; or  
 170 (D) Exempt small businesses from any or all requirements of the rules;
- 171 (4) In the formulation and adoption of any rule which places administrative burdens on  
 172 charitable organizations in this state, including, but not limited to, any rule that would  
 173 require any new or expanded filing or reporting requirements or that would limit the  
 174 ability of charitable organizations to solicit or collect funds, ~~the agency or official shall:~~
- 175 (A) Absent the showing of a compelling state interest, not impose any annual filing or  
 176 reporting requirements on an organization regulated or specifically exempted from  
 177 regulation under Chapter 17 of Title 43, the 'Georgia Charitable Solicitations Act of  
 178 1988,' that are more burdensome than the requirements authorized by applicable law,  
 179 and any such filing or reporting requirements shall be narrowly tailored to achieve such  
 180 compelling state interest. The requirements of this subparagraph shall not apply to the  
 181 state's direct spending programs; and
- 182 (B) Email the notice provided for in paragraph (1) of this subsection to each  
 183 chairperson of any standing committee in each house as shown on the General  
 184 Assembly's public website.
- 185 For purposes of this paragraph, the term 'charitable organization' means a nonprofit  
 186 charitable organization which is exempt from taxation under the provisions of  
 187 Section 501(c)(3) of the United States Internal Revenue Code; and
- 188 (5) In the formulation and adoption of any rule, ~~an agency shall~~ choose an alternative  
 189 that does not impose excessive regulatory costs on any regulated person or entity which  
 190 costs could be reduced by a less expensive alternative that fully accomplishes the stated  
 191 objectives of the statutes which are the basis of the proposed rule.

192 (b) If any agency finds that an imminent peril to the public health, safety, or welfare,  
193 including, but not limited to, summary processes such as quarantines, contrabands,  
194 seizures, and the like authorized by law without notice, requires adoption of a rule,  
195 including a rule that would require an economic impact analysis if adopted pursuant to  
196 subsection (a) of this Code section, upon fewer than 30 days' notice and states in writing  
197 its reasons for that finding, it may proceed without prior notice or hearing or upon any  
198 abbreviated notice and hearing that it finds practicable to adopt an emergency rule. Any  
199 such rule adopted relative to a public health emergency shall be submitted as promptly as  
200 reasonably practicable to the House of Representatives and Senate Committees on  
201 Judiciary, provided that any such rule adopted relative to a state of emergency by the State  
202 Election Board shall be submitted as soon as practicable but not later than 20 days prior to  
203 the rule taking effect. Any emergency rule adopted by the State Election Board pursuant  
204 to the provisions of this subsection may be suspended upon the majority vote of the House  
205 of Representatives or Senate Committees on Judiciary within ten days of the receipt of such  
206 rule by the committees. ~~The rule may be effective for a period of not longer than 120 days~~  
207 ~~but adoption of an emergency rule pursuant to the provisions of this subsection shall not~~  
208 ~~preclude the adoption of an identical rule under paragraphs (1) and (2) of subsection (a) of~~  
209 ~~this Code section is not precluded, provided, however, that such a rule adopted pursuant~~  
210 ~~to discharge of responsibility under an executive order declaring a state of emergency or~~  
211 ~~disaster exists as a result of a public health emergency, as defined in Code Section 38-3-3,~~  
212 ~~shall be effective for the duration of the emergency or disaster and for a period of not more~~  
213 ~~than 120 days thereafter."~~

214 "(e)(1) The agency shall transmit the notice provided for in paragraph (1) of  
215 subsection (a) of this Code section to the legislative counsel. The notice shall be  
216 transmitted at least 30 days prior to the date of the agency's intended action.

217 (2) Within three days after receipt of the notice, if possible, the legislative counsel shall  
218 furnish the presiding officers of each house with a copy of the notice, and, except for

219 notices concerning a proposed rule for which an economic impact analysis is required  
220 pursuant to paragraph (1) of subsection (a) of this Code section, the presiding officers  
221 shall assign the notice to the chairperson of the appropriate standing committee in each  
222 house for review and any member thereof who makes a standing written request. In the  
223 event a presiding officer is unavailable for the purpose of making the assignment within  
224 the time limitations, the legislative counsel shall assign the notice to the chairperson of  
225 the appropriate standing committee. The legislative counsel shall also transmit within the  
226 time limitations provided in this subsection a notice of the assignment to the chairperson  
227 of the appropriate standing committee. Each standing committee of the Senate and the  
228 House of Representatives is granted all the rights provided for interested persons and  
229 governmental subdivisions in paragraph (2) of subsection (a) of this Code section.

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

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

246 resolution is adopted by such branch house of the General Assembly, it shall be  
247 immediately transmitted to the other branch house of the General Assembly. It shall be  
248 the duty of the presiding officer of the other branch house of the General Assembly to  
249 have such branch house, within five days after the receipt of the resolution, to consider  
250 the resolution for the purpose of overriding the rule. In the event the resolution is  
251 adopted by two-thirds of the votes of each branch house of the General Assembly, the  
252 rule shall be void on the day after the adoption of the resolution by the second branch  
253 house of the General Assembly. In the event the resolution is ratified by less than  
254 two-thirds of the votes of either branch house, the resolution shall be submitted to the  
255 Governor for his or her approval or veto. In the event of ~~his or her~~ the Governor's veto,  
256 or if no resolution is introduced for the purpose of overriding the rule, or if the resolution  
257 introduced is not approved by at least a majority of the vote of each house of the General  
258 Assembly, the rule shall remain ~~in effect~~ adopted and shall become or remain effective  
259 in accordance with the provisions of Code Section 50-13-6. In the event of ~~his or her~~  
260 approval the Governor's approval of the resolution, the rule shall be void on the day after  
261 the date of his or her approval.

262 (2) In the event each standing committee to which a notice is assigned as provided in  
263 subsection (e) of this Code section ~~files an objection~~ objects to a proposed rule prior to  
264 its adoption by a two-thirds' vote of the members of the committee ~~who were voting~~  
265 ~~members on the tenth day of the current session,~~ after having given public notice of the  
266 time, place, and purpose of such vote at least 48 hours in advance, as well as the  
267 opportunity for members of the public, including the promulgating agency, to have a  
268 reasonable time to comment on the proposed committee action at the hearing, ~~the~~  
269 ~~effectiveness of such rule shall be stayed until the next legislative session at which time~~  
270 ~~the rule may be considered by the General Assembly by the introduction of a resolution~~  
271 ~~in either branch of the General Assembly for the purpose of overriding the rule at any~~  
272 ~~time within the first 30 days of the next regular session of the General Assembly~~ not be

273 adopted by the promulgating agency and shall instead be deemed withdrawn by the  
274 promulgating agency unless such agency, within the first 15 days of the next regular  
275 session of the General Assembly, transmits written notification to the chairpersons of the  
276 objecting committees that such agency does not intend to withdraw such rule but instead  
277 intends to adopt such rule following adjournment sine die of that regular session. Such  
278 notification shall include a detailed statement setting forth the basis for and necessity of  
279 the proposed rule, an explanation of how the adoption of the proposed rule is within the  
280 authority of the promulgating agency, any alternatives to the proposed rule considered  
281 by the promulgating agency, and the potential costs or adverse effects of the proposed  
282 rule, as well as the identification of those likely to bear such costs or adverse effects. A  
283 resolution objecting to the intended adoption of the proposed rule may be introduced in  
284 either house of the General Assembly after the fifteenth day but before the thirtieth day  
285 of the regular session in which the notice of intent not to withdraw the proposed rule was  
286 given by the promulgating agency in accordance with this paragraph. In the event the  
287 resolution is adopted by the branch house of the General Assembly in which it was  
288 introduced, it shall be immediately transmitted to the other branch house of the General  
289 Assembly. It shall be the duty of the presiding officer of the other branch house of the  
290 General Assembly to have such branch house, within five days after the receipt of the  
291 resolution, to consider the resolution for the purpose of overriding objecting to the  
292 intended adoption of the proposed rule. In the event the resolution is adopted by  
293 two-thirds of the votes of each branch house of the General Assembly, the proposed rule  
294 shall be void on the day after the adoption of the resolution by the second branch of the  
295 General Assembly shall be disapproved and shall not be adopted by the promulgating  
296 agency. In the event the resolution is ratified by less than two-thirds of the votes of either  
297 branch house, the resolution shall be submitted to the Governor for his or her approval  
298 or veto. In the event of his or her the Governor's veto, the rule shall remain in effect or  
299 if no resolution is introduced objecting to the proposed rule, or if the resolution

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

326 a majority of the vote of each house of the General Assembly, the rule shall be void and  
 327 shall not take effect."

328 **SECTION 2-3.**

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

332 "50-13-6.

333 ~~(a)(1) Each rule adopted after July 1, 1965, shall not become effective until the~~  
 334 ~~expiration of 20 days after the rule is filed in the office of the Secretary of State~~ Except  
 335 for emergency rules adopted pursuant to subsection (b) of Code Section 50-13-4, any rule  
 336 that is adopted shall not become effective unless it is filed with the office of the Secretary  
 337 of State and such rule, if filed with the office of the Secretary of State between January 1  
 338 and June 30 of a calendar year, shall become effective on July 1 of that year or, if filed  
 339 with the office of the Secretary of State between July 1 and December 31 of a calendar  
 340 year, shall become effective on January 1 of the immediately succeeding calendar year.

341 Each rule so filed shall contain a citation of the authority pursuant to which it was  
 342 adopted and, if an amendment or repeal of an existing rule, shall clearly identify the  
 343 original rule.

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

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

352 (1) Become effective immediately upon its adoption or on such later date as the  
 353 promulgating agency may prescribe and may be effective for a period of not longer than  
 354 120 days; provided, however, that such an emergency rule adopted pursuant to a  
 355 discharge of responsibility under an executive order declaring that a state of emergency  
 356 or disaster exists as a result of a public health emergency, as defined in Code Section  
 357 38-3-3, shall be effective for the duration of the emergency or disaster and for a period  
 358 of not more than 120 days thereafter; and

359 (2) Be filed, along with a copy of the finding as required by subsection (b) of Code  
 360 Section 50-13-4, with the office of the Secretary of State within four days after its  
 361 adoption.

362 ~~(b)(c)~~ The Secretary of State shall endorse on each rule thus filed the time and date of  
 363 filing and shall maintain a record of the rules for public inspection.

364 ~~(c) The 20 day filing period is subject to the following exceptions:~~

365 ~~(1) Where a statute or the terms of the rule require a date which is later than the 20 day~~  
 366 ~~period, then the later date is the effective date; and~~

367 ~~(2) Any emergency rule adopted pursuant to subsection (b) of Code Section 50-13-4 may~~  
 368 ~~become effective immediately upon adoption or within a period of less than 20 days. The~~  
 369 ~~emergency rule, with a copy of the finding as required by subsection (b) of Code~~  
 370 ~~Section 50-13-4, shall be filed with the office of the Secretary of State within four~~  
 371 ~~working days after its adoption.~~

372 (d) The Secretary of State shall prescribe rules governing the manner and form in which  
 373 regulations shall be prepared for filing. The Secretary may refuse to accept for filing any  
 374 rule that does not conform to such requirements."

375 **SECTION 2-4.**

376 Said title is further amended by adding new Code sections to read as follows:

377 "50-13-24.

378 (a) Not later than July 1, 2027, the Office of Planning and Budget or other designee of the  
379 Governor shall establish and publish a schedule for the review of the rules of all agencies,  
380 subject to the provisions of this chapter, on a four-year cycle, with the first of such reviews  
381 occurring in the 2028 calendar year. In establishing such schedule, the Office of Planning  
382 and Budget or other designee of the Governor shall take into consideration the volume of  
383 rules that will be subject to review in any given year and the ability of the public to provide  
384 meaningful input into such reviews. An agency that has been through a review under this  
385 Code section previously and, in the intervening years since such last review, has decreased  
386 the number of its rules by 10 percent or more shall be exempt from review under this Code  
387 section during that cycle.

388 (b) The Office of Planning and Budget or other designee of the Governor shall notify in  
389 December of the immediately preceding year each agency whose rules are subject to  
390 review in a given calendar year of the upcoming review period. All rules of an agency that  
391 are scheduled for review under this Code section shall stand automatically repealed on  
392 December 31 of the review year unless the rules are continued or repromulgated pursuant  
393 to this Code section.

394 (c) In the year of review, each agency shall undertake an analysis of each of its rules and  
395 shall create a written report of the results of such analysis. Such analysis shall consider:

396 (1) Whether the benefits sought to be achieved by the rule are being realized and are in  
397 compliance with current law;

398 (2) Whether such benefits justify the costs of implementing and complying with the  
399 provisions of the rule; and

400 (3) Whether there are less restrictive and less costly alternatives to accomplish the  
401 desired benefits or results.

402 The Office of Planning and Budget or other designee of the Governor shall develop and  
403 provide to each agency a standardized process and forms for such analysis and shall make  
404 such process and forms available on the Office of Planning and Budget's public website not

405 later than October 1, 2027. Such analysis shall be completed not later than September 1  
406 of the year of review. Such analysis shall be published on the agency's public website upon  
407 its completion and shall be submitted to the Office of Planning and Budget or other  
408 designee of the Governor for review.

409 (d) As a part of the rules analysis process, each agency shall solicit public input on the  
410 impact, cost, and effectiveness of its rules. The public shall be notified of the opportunity  
411 to provide such input in a manner designed to obtain the widest possible public notification  
412 of interested parties, as well as by mailing such notice to all persons who have requested  
413 in writing that they be placed upon the mailing list maintained by the agency for advance  
414 notice of its rule-making proceedings. The notice shall include a date by which public  
415 input shall be submitted for consideration which shall be not less than 30 days after the date  
416 the notice is published. Such notice shall be published not later than March 1 of the review  
417 year. In addition, the agency shall conduct at least two public hearings to receive public  
418 comment on its rules. Such public hearings shall be held in a manner designed to  
419 maximize public input and shall be completed not later than July 1 of the review year.

420 (e) Agencies that desire to continue their rules in effect shall not simply repromulgate the  
421 rules and regulations without critical review of the necessity, effectiveness, and cost of  
422 such rules; without considering possible less onerous, less costly, and more effective  
423 alternatives to such rules; and without determining whether such rules or regulations are  
424 actually necessary.

425 (f) Any rule that an agency desires to continue or repromulgate shall be repromulgated in  
426 the same manner as for new rules under this chapter. Any continuation or repromulgation  
427 of a rule shall reduce or maintain the current regulatory burden and costs of such rule and  
428 shall not increase such burden or costs.

429 (g) The provisions of this Code section shall not apply to constitutional officers or their  
430 respective agencies, as such terms are defined in subsection (a) of Code Section 50-13-25.

431 50-13-25.

432 (a) As used in this Code section, the term:

433 (1) 'Constitutional officer' means the Attorney General, the Secretary of State, the  
434 Commissioner of Agriculture, the Commissioner of Insurance, the Commissioner of  
435 Labor, the commissioners of the Public Service Commission, and the State School  
436 Superintendent.

437 (2) 'Respective agency' means:

438 (A) With respect to the Attorney General, the Department of Law;

439 (B) With respect to the Secretary of State, the office of the Secretary of State;

440 (C) With respect to the Commissioner of Agriculture, the Department of Agriculture;

441 (D) With respect to the Commissioner of Insurance, the Department of Insurance;

442 (E) With respect to the Commissioner of Labor, the Department of Labor;

443 (F) With respect to the commissioners of the Public Service Commission, the Public  
444 Service Commission; and

445 (G) With respect to the State School Superintendent, the Department of Education.

446 (b) All constitutional officers shall, subject to the provisions of this chapter, review all of  
447 the rules promulgated by such constitutional officers, their predecessors, or their respective  
448 agencies that are in effect every four years, with the first year of review being the 2028  
449 calendar year. In subsequent review years after 2028, each constitutional officer and such  
450 officer's respective agency that has, in the intervening years since such last review,  
451 decreased the number of its rules by 10 percent or more shall be exempt from review under  
452 this Code section during that year of review.

453 (c) All rules of a constitutional officer and such officer's respective agency that are  
454 scheduled for review under this Code section shall stand automatically repealed on  
455 December 31 of the review year unless the rules are continued or repromulgated pursuant  
456 to this Code section.

457 (d) In the year of review, each constitutional officer and such officer's respective agencies  
458 shall undertake an analysis of each of its rules and shall create a written report of the results  
459 of such analysis. Such analysis shall consider:

460 (1) Whether the benefits sought to be achieved by the rule are being realized and are in  
461 compliance with current law;

462 (2) Whether such benefits justify the costs of implementing and complying with the  
463 provisions of the rule; and

464 (3) Whether there are less restrictive and less costly alternatives to accomplish the  
465 desired benefits or results.

466 Such analysis shall be completed not later than September 1 of the year of review. Such  
467 analysis shall be published by the constitutional officer on such officer's respective  
468 agency's public website upon its completion.

469 (e) As a part of the rules analysis process, each constitutional officer and such officer's  
470 respective agency shall solicit public input on the impact, cost, and effectiveness of its  
471 rules. The public shall be notified of the opportunity to provide such input in a manner  
472 designed to obtain the widest possible public notification of interested parties, as well as  
473 by mailing such notice to all persons who have requested in writing that they be placed  
474 upon the mailing list maintained by each constitutional officer or such officer's respective  
475 agency for advance notice of its rule-making proceedings. The notice shall include a date  
476 by which public input shall be submitted for consideration which shall be not less than 30  
477 days after the date the notice is published. Such notice shall be published not later than  
478 March 1 of the review year. In addition, each constitutional officer and such officer's  
479 respective agency shall conduct at least two public hearings to receive public comment on  
480 its rules. Such public hearings shall be held in a manner designed to maximize public input  
481 and shall be completed not later than July 1 of the review year.

482 (f) Constitutional officers and their respective agencies that desire to continue their rules  
483 in effect shall not simply repromulgate the rules and regulations without critical review of

484 the necessity, effectiveness, and cost of such rules; without considering possible less  
485 onerous, less costly, and more effective alternatives to such rules; and without determining  
486 whether such rules or regulations are actually necessary.  
487 (g) Any rule that a constitutional officer or such officer's respective agency desires to  
488 continue or repromulgate shall be repromulgated in the same manner as for new rules under  
489 this chapter. Any continuation or repromulgation of a rule shall reduce or maintain the  
490 current regulatory burden and costs of such rule and shall not increase such burden or  
491 costs."

492  
493

**PART III**  
**SECTION 3-1.**

494 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Code  
495 Section 31-6-21.1, relating to procedures for rule making by the Department of Community  
496 Health, by revising subsections (c) and (f) as follows:

497 "(c) Any rule or part thereof to which an objection is made by both committees within the  
498 30 day objection period under subsection (b) of this Code section shall not be adopted by  
499 the department and shall be invalid if so adopted. A rule or part thereof thus prohibited  
500 from being adopted shall be deemed to have been withdrawn by the department unless the  
501 department, within the first 15 days of the next regular session of the General Assembly,  
502 transmits written notification to each member of the objecting committees that the  
503 department does not intend to withdraw that rule or part thereof but intends to adopt the  
504 specified rule or part ~~effective the day~~ following adjournment sine die of that regular  
505 session. A resolution objecting to such intended adoption may be introduced in either  
506 branch house of the General Assembly after the fifteenth day but before the thirtieth day  
507 of the session in which occurs the notification of intent not to withdraw a rule or part  
508 thereof. In the event the resolution is adopted by the branch house of the General

509 Assembly in which the resolution was introduced, it shall be immediately transmitted to  
510 the other branch house of the General Assembly. It shall be the duty of the presiding  
511 officer of the other branch house to have that branch house, within five days after receipt  
512 of the resolution, consider the resolution for purposes of objecting to the intended adoption  
513 of the rule or part thereof. Upon such resolution being adopted by two-thirds of the vote  
514 of each branch house of the General Assembly, the rule or part thereof objected to in that  
515 resolution shall be disapproved and not adopted by the department. If the resolution is  
516 adopted by a majority but by less than two-thirds of the vote of each such branch house,  
517 the resolution shall be submitted to the Governor for his or her approval or veto. In the  
518 event of a veto, or if no resolution is introduced objecting to the rule, or if the resolution  
519 introduced is not approved by at least a majority of the vote of each such branch house, the  
520 rule shall automatically become adopted the day following adjournment sine die of that  
521 regular session. In the event of the Governor's approval of the resolution, the rule shall be  
522 disapproved and not adopted by the department."

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

532

**SECTION 3-2.**

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

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

537

#### **PART IV**

538

#### **SECTION 4-1.**

539 (a) Except as provided for in subsection (b) of this section, this Act shall become effective  
540 upon its approval by the Governor or upon its becoming law without such approval.

541 (b) Section 2-4 of this Act shall become effective on June 1, 2027.

542

#### **SECTION 4-2.**

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