

BILL ANALYSIS

Senate Research Center

S.B. 1715
By: Patterson
State Affairs
4-9-97
As Filed

DIGEST

Currently, the Texas Register publishes proposed rules of various state agencies. These publications can be difficult to read since it is unclear in the publications which rules are being amended or deleted by a state agency. This bill would require the rules to be published in a manner similar to legislative documents, with added language underlined and deleted language bracketed and stricken through.

PURPOSE

As proposed, S.B. 1715 revises the required contents in a notice for the adoption of proposed rules by a state agency.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2001.024, Government Code, to require, in the notice of a proposed rule that amends any part of an existing rule, the text of the entire rule being amended to be set out; the language to be deleted to be bracketed and stricken through; and the language to be added to be underlined. Requires the new rule or section, in the notice of a proposed rule that is new or that adds a complete section to an existing rule, to be set out and underlined. Requires the entire rule, if any proposed rule is to be amended subsequent to the publication of the rule, to be republished in its final proposed form at least 30 days prior to adoption or consideration thereof. Makes a conforming change.

SECTION 2. Requires any rule adopted by a state agency which is not in conformity with the standards set forth in Section 2001.024, Government Code, as amended by this Act, to be null and void and of no force or effect.

SECTION 3. Requires the provisions of this Act, if any provision of this Act is in conflict with any rule, regulation, or provision of other law, to prevail to the extent of the conflict.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.