

Senate Bill 429

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

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 an
12 effective date; 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 "Small Business Protection Act of 2024."

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 3B22 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) The Governor, the President of the Senate, or any member of the General Assembly
27 may request that the Office of Planning and Budget and the Department of Audits and
28 Accounts prepare a small business impact analysis for any bill introduced during a session
29 of the General Assembly. Such small business impact analysis shall estimate the economic
30 costs and benefits that such bill may have on small businesses in the state and shall include,
31 if any, the estimated impacts on:

32 (1) The costs of providing goods and services;33 (2) The availability and cost of workers;34 (3) Industry competition or consumer choice; and

35 (4) Potential costs of compliance.

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

41 (1) The Governor;

42 (2) The President of the Senate;

43 (3) The Speaker of the House of Representatives;

44 (4) The chairperson of the committee to which the bill that is the subject of the small
45 business impact analysis is assigned in the house of the General Assembly in which the
46 bill was introduced;

47 (5) The sponsor of the bill that is the subject of the small business impact analysis;

48 (6) The individual who requested the small business impact analysis, if such individual
49 is not listed in paragraphs (1) through (5) of this subsection;

50 (7) The Secretary of the Senate; and

51 (8) The Clerk of the House of Representatives.

52 (c)(1) If a bill that is the subject of a small business impact analysis prepared pursuant
53 to subsection (a) of this Code section is amended or is proposed to be amended, the
54 Office of Planning and Budget and the Department of Audits and Accounts shall, upon
55 request by the Governor, the President of the Senate, or any member of the General
56 Assembly, revise such small business impact analysis to account for the amended version
57 of such bill.

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

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

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

72 (e) Any small business impact analysis or revised small business impact analysis prepared
73 for a bill pursuant to this Code section shall be attached to the bill by the Secretary of the
74 Senate or the Clerk of the House of Representatives and shall be read to the members of
75 each respective house of the General Assembly at the third reading of such bill. In
76 addition, a copy of each small business impact analysis or revised small business impact
77 analysis prepared for a bill pursuant to this Code section shall be distributed to each
78 member of the respective house of the General Assembly before which such bill is pending
79 prior to any such bill being voted upon by such house of the General Assembly.

80 28-5-59.

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

84 **SECTION 2-2.**

85 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
86 in Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or

87 repeal of rules, emergency rules, limitation on action to contest rule, and legislative override,
88 by revising subsections (a), (b), and (f) as follows:

89 "(a) Prior to the adoption, amendment, or repeal of any rule, other than interpretive rules
90 or general statements of policy, the agency shall:

91 (1) Give at least 30 days' notice of its intended action.

92 The notice shall include an exact copy of the proposed rule and a synopsis of the
93 proposed rule. The synopsis shall be distributed with and in the same manner as the
94 proposed rule. The synopsis shall contain a statement of the purpose and the main
95 features of the proposed rule, and, in the case of a proposed amendatory rule, the synopsis
96 also shall indicate the differences between the existing rule and the proposed rule. The
97 notice shall also include the exact date on which the agency shall consider the adoption
98 of the rule and shall include the time and place in order that interested persons may
99 present their views thereon. The notice shall also contain a citation of the authority
100 pursuant to which the rule is proposed for adoption and, if the proposal is an amendment
101 or repeal of an existing rule, the rule shall be clearly identified. There shall be included
102 with the notice an economic analysis of the impact of the proposed rule. The Office of
103 Planning and Budget or other designee of the Governor shall create standards and shall
104 provide training to agencies on the drafting of economic analyses. Such economic
105 analysis shall include the following:

106 (A) An estimate, and identification when possible, of the number of individuals and
107 businesses subject to the proposed rule;

108 (B) The projected reporting, record keeping, and other administrative costs and time
109 required for compliance with the proposed rule, including the types of professional
110 skills necessary for preparation of any documentation, records, or reports required by
111 the proposed rule;

112 (C) A statement of the probable effect of the rule on impacted individuals and
113 businesses; and

114 (D) Such other provisions or information to assess the economic impact of the
 115 proposed rule as may be required by the Office of Planning and Budget or other
 116 designee of the Governor.

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

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

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

137 (A) Establish ~~differing~~ reduced compliance or reporting requirements ~~or~~ and differing
 138 timetables for small businesses;

139 (B) Clarify, consolidate, or simplify the compliance and reporting requirements under
 140 the rule for small businesses;

141 (C) Establish performance rather than design standards for small businesses; or

142 (D) Exempt small businesses from any or all requirements of the rules;

143 (4) In the formulation and adoption of any rule which places administrative burdens on
144 charitable organizations in this state, including, but not limited to, any rule that would
145 require any new or expanded filing or reporting requirements or that would limit the
146 ability of charitable organizations to solicit or collect funds, ~~the agency or official shall:~~

147 (A) Absent the showing of a compelling state interest, not impose any annual filing or
148 reporting requirements on an organization regulated or specifically exempted from
149 regulation under Chapter 17 of Title 43, the 'Georgia Charitable Solicitations Act of
150 1988,' that are more burdensome than the requirements authorized by applicable law,
151 and any such filing or reporting requirements shall be narrowly tailored to achieve such
152 compelling state interest. The requirements of this subparagraph shall not apply to the
153 state's direct spending programs; and

154 (B) Email the notice provided for in paragraph (1) of this subsection to each
155 chairperson of any standing committee in each house as shown on the General
156 Assembly's public website.

157 For purposes of this paragraph, the term 'charitable organization' means a nonprofit
158 charitable organization which is exempt from taxation under the provisions of
159 Section 501(c)(3) of the United States Internal Revenue Code; and

160 (5) In the formulation and adoption of any rule, ~~an agency shall~~ choose an alternative
161 that does not impose excessive regulatory costs on any regulated person or entity which
162 costs could be reduced by a less expensive alternative that fully accomplishes the stated
163 objectives of the statutes which are the basis of the proposed rule.

164 (b) If any agency finds that an imminent peril to the public health, safety, or welfare,
165 including but not limited to, summary processes such as quarantines, contrabands, seizures,
166 and the like authorized by law without notice, requires adoption of a rule upon fewer
167 than 30 days' notice and states in writing its reasons for that finding, it may proceed without

168 prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable
169 to adopt an emergency rule. Any such rule adopted relative to a public health emergency
170 shall be submitted as promptly as reasonably practicable to the House of Representatives
171 and Senate Committees on Judiciary, provided that any such rule adopted relative to a state
172 of emergency by the State Election Board shall be submitted as soon as practicable but not
173 later than 20 days prior to the rule taking effect. Any emergency rule adopted by the State
174 Election Board pursuant to the provisions of this subsection may be suspended upon the
175 majority vote of the House of Representatives or Senate Committees on Judiciary within
176 ten days of the receipt of such rule by the committees. ~~The rule may be effective for a~~
177 ~~period of not longer than 120 days but the adoption of an identical rule under~~
178 ~~paragraphs (1) and (2) of subsection (a) of this Code section is not precluded; provided,~~
179 ~~however, that such a rule adopted pursuant to discharge of responsibility under an~~
180 ~~executive order declaring a state of emergency or disaster exists as a result of a public~~
181 ~~health emergency, as defined in Code Section 38-3-3, shall be effective for the duration of~~
182 ~~the emergency or disaster and for a period of not more than 120 days thereafter."~~

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

195 the other branch of the General Assembly to have such branch, within five days after the
196 receipt of the resolution, to consider the resolution for the purpose of overriding the rule.
197 In the event the resolution is adopted by two-thirds of the votes of each branch of the
198 General Assembly, the rule shall be void on the day after the adoption of the resolution
199 by the second branch of the General Assembly. In the event the resolution is ratified by
200 less than two-thirds of the votes of either branch, the resolution shall be submitted to the
201 Governor for his or her approval or veto. In the event of ~~his or her~~ the Governor's veto,
202 or if no resolution is introduced for the purpose of overriding the rule, or if the resolution
203 introduced is not approved by at least a majority of the vote of each branch of the General
204 Assembly, the rule shall remain ~~in effect~~ adopted and shall become or remain effective
205 in accordance with the provisions of Code Section 50-13-6. In the event of ~~his or her~~
206 approval the Governor's approval of the resolution, the rule shall be void on the day after
207 the date of his or her approval.

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

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

249 ~~or her the Governor's approval of the resolution, the proposed rule shall be void on the~~
 250 ~~day after the date of his or her approval disapproved and shall not be adopted by the~~
 251 ~~promulgating agency. If after the thirtieth legislative day of the legislative session of~~
 252 ~~which the challenged rule was to be considered the General Assembly has not considered~~
 253 ~~an override of the challenged rule pursuant to this subsection, the rule shall then~~
 254 ~~immediately take effect."~~

255 **SECTION 2-3.**

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

259 "50-13-6.

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

270 (b) Any emergency rule adopted pursuant to subsection (b) of Code Section 50-13-4 shall:
 271 (1) Not become effective unless and until such emergency rule is approved by the
 272 Governor. Such an approved emergency rule may be effective for a period of not longer
 273 than 120 days but the adoption of an identical rule under paragraphs (1) and (2) of
 274 subsection (a) of Code Section 50-13-4 is not precluded; provided, however, that such an

275 approved emergency rule adopted pursuant to a discharge of responsibility under an
 276 executive order declaring that a state of emergency or disaster exists as a result of a
 277 public health emergency, as defined in Code Section 38-3-3, shall be effective for the
 278 duration of the emergency or disaster and for a period of not more than 120 days
 279 thereafter; and

280 (2) Be filed, along with a copy of the finding as required by subsection (b) of Code
 281 Section 50-13-4 and the Governor's approval of such emergency rule, with the office of
 282 the Secretary of State within four days after its adoption.

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

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

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

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

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

296 **SECTION 2-4.**

297 Said title is further amended by adding a new Code section to read as follows:

298 "50-13-25.

299 (a) Not later than December 31, 2024, the Office of Planning and Budget or other designee
 300 of the Governor shall establish and publish a schedule for the review of the rules and

301 regulations of all agencies, subject to the provisions of this chapter, on a seven-year cycle.
302 In establishing such schedule, the Office of Planning and Budget or other designee of the
303 Governor shall take into consideration the volume of rules that will be subject to review
304 in any given year and the ability of the public to provide meaningful input into such
305 reviews. An agency that has been through a review under this Code section previously and,
306 in the intervening years since such last review, has not increased the number of its rules and
307 regulations by more than 10 percent shall be exempt from review under this Code section
308 during that cycle.

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

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

318 (1) Whether the benefits sought to be achieved by the rule or regulation are being
319 realized and are in compliance with current law;

320 (2) Whether such benefits justify the costs of implementing and complying with the
321 provisions of the rule or regulation; and

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

324 The Office of Planning and Budget or other designee of the Governor shall develop and
325 provide to each agency a standardized process and forms for such analysis and shall make
326 such process and forms available on the Office of Planning and Budget's public website not
327 later than October 1, 2024. Such analysis shall be completed not later than September 1

328 of the year of review. Such analysis shall be published on the agency's public website upon
329 its completion and shall be submitted to the Office of Planning and Budget or other
330 designee of the Governor for review.

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

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

348 (f) Any rule or regulation that an agency desires to continue or repromulgate shall be
349 repromulgated in the same manner as for new rules and regulations under this chapter.
350 Any continuation or repromulgation of a rule or regulation shall reduce or maintain the
351 current regulatory burden and costs of such rule or regulation and shall not increase such
352 burden or costs."

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

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

358 "(c) Any rule or part thereof to which an objection is made by both committees within the
359 30 day objection period under subsection (b) of this Code section shall not be adopted by
360 the department and shall be invalid if so adopted. A rule or part thereof thus prohibited
361 from being adopted shall be deemed to have been withdrawn by the department unless the
362 department, within the first 15 days of the next regular session of the General Assembly,
363 transmits written notification to each member of the objecting committees that the
364 department does not intend to withdraw that rule or part thereof but intends to adopt the
365 specified rule or part ~~effective the day~~ following adjournment sine die of that regular
366 session. A resolution objecting to such intended adoption may be introduced in either
367 branch of the General Assembly after the fifteenth day but before the thirtieth day of the
368 session in which occurs the notification of intent not to withdraw a rule or part thereof. In
369 the event the resolution is adopted by the branch of the General Assembly in which the
370 resolution was introduced, it shall be immediately transmitted to the other branch of the
371 General Assembly. It shall be the duty of the presiding officer of the other branch to have
372 that branch, within five days after receipt of the resolution, consider the resolution for
373 purposes of objecting to the intended adoption of the rule or part thereof. Upon such
374 resolution being adopted by two-thirds of the vote of each branch of the General Assembly,
375 the rule or part thereof objected to in that resolution shall be disapproved and not adopted
376 by the department. If the resolution is adopted by a majority but by less than two-thirds of
377 the vote of each such branch, the resolution shall be submitted to the Governor for his or
378 her approval or veto. In the event of a veto, or if no resolution is introduced objecting to

379 the rule, or if the resolution introduced is not approved by at least a majority of the vote of
 380 each such branch, the rule shall automatically become adopted the day following
 381 adjournment sine die of that regular session. In the event of the Governor's approval of the
 382 resolution, the rule shall be disapproved and not adopted by the department."

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

392 **SECTION 3-2.**

393 Said title is further amended in Code Section 50-13A-20, relating to applicability of
 394 provisions, by revising paragraph (3) of subsection (b) as follows:

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

396 **PART IV**

397 **SECTION 4-1.**

398 This Act shall become effective upon its approval by the Governor or upon its becoming law
 399 without such approval.

400 **SECTION 4-2.**

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