



Digest Correction  
January 19, 2024

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## SENATE BILL No. 297

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DIGEST OF SB 297 (Updated January 22, 2024 5:18 pm - DI 107)

**Citations Affected:** IC 4-22.

**Synopsis:** Administrative rules. Requires an agency to conduct a regulatory analysis for certain proposed rules including if the implementation and compliance costs are at least \$1,000,000. Requires the office of management and budget to notify the legislative council of certain proposed rules that have a fiscal impact of over \$1,000,000 over the course of two years. Provides that certain proposed rules shall not be effective until the general assembly passes a bill authorizing the rule.

**Effective:** July 1, 2024.

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**Garten, Brown L, Koch, Holdman,  
Freeman, Glick, Gaskill, Buck,  
Niemeyer, Alexander, Baldwin, Raatz,  
Charbonneau, Rogers, Bassler,  
Buchanan, Walker K, Donato, Doriot,  
Messmer, Zay, Crane, Tomes, Byrne,  
Johnson T, Deery, Goode, Carrasco,  
Maxwell**

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January 16, 2024, read first time and referred to Committee on Judiciary.  
January 18, 2024, reported favorably — Do Pass.

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SB 297—LS 6965/DI 107





Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

## SENATE BILL No. 297

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A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1           SECTION 1. IC 4-22-2-3, AS AMENDED BY P.L.249-2023,  
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 3. (a) "Agency" means any officer, board,  
4 commission, department, division, bureau, committee, or other  
5 governmental entity exercising any of the executive (including the  
6 administrative) powers of state government. The term does not include  
7 the judicial or legislative departments of state government or a political  
8 subdivision as defined in IC 36-1-2-13.  
9           (b) "Rule" means the whole or any part of an agency statement of  
10 general applicability that:  
11           (1) has or is designed to have the effect of law; and  
12           (2) implements, interprets, or prescribes:  
13               (A) law or policy; or  
14               (B) the organization, procedure, or practice requirements of an  
15           agency.  
16           The term includes a fee, a fine, a civil penalty, a financial benefit  
17           limitation, or another payment amount set by an agency that otherwise

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- 1 qualifies as a rule.
- 2 (c) "Rulemaking action" means the process of formulating or  
3 adopting a rule. The term does not include an agency action.
- 4 (d) "Agency action" has the meaning set forth in IC 4-21.5-1-4.
- 5 (e) "Person" means an individual, corporation, limited liability  
6 company, partnership, unincorporated association, or governmental  
7 entity.
- 8 (f) "Publisher" refers to the publisher of the Indiana Register and  
9 Indiana Administrative Code, which is the legislative council, or the  
10 legislative services agency operating under the direction of the council.
- 11 **(g) "Unit" means a county, city, town, township, local health  
12 department, or school corporation.**
- 13 ~~(g)~~ **(h)** The definitions in this section apply throughout this article.
- 14 SECTION 2. IC 4-22-2-22.7, AS ADDED BY P.L.249-2023,  
15 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2024]: Sec. 22.7. (a) Before complying with section 22.8,  
17 **37.1, or 37.2** of this chapter, an agency shall conduct a regulatory  
18 analysis for the proposed rule that complies with the requirements of  
19 this section.
- 20 (b) The office of management and budget shall set standards for the  
21 criteria, analytical method, treatment technology, economic, fiscal, and  
22 other background data to be used by an agency in the regulatory  
23 analysis. The regulatory analysis must be submitted in a form that can  
24 be easily loaded into commonly used business analysis software and  
25 published in the Indiana Register using the format jointly developed by  
26 the publisher, the office of management and budget, and the budget  
27 agency. The office of management and budget may provide more  
28 stringent requirements for rules with fiscal impacts and costs above a  
29 threshold amount determined by the office of management and budget.
- 30 (c) At a minimum, the regulatory analysis must include findings and  
31 any supporting data, studies, or analyses prepared for a rule that  
32 demonstrate compliance with the following:
- 33 (1) The cost benefit requirements in IC 4-3-22-13.
- 34 (2) Each of the standards in section 19.5 of this chapter.
- 35 (3) If applicable, the requirements for fees, fines, and civil  
36 penalties in section 19.6 of this chapter.
- 37 (4) The annual economic impact on small businesses statement  
38 required under IC 4-22-2.1-5.
- 39 (5) If applicable, the information required under IC 13-14-9-4.
- 40 **(6) A determination whether the combined implementation  
41 and compliance costs of a proposed rule are at least one  
42 million dollars (\$1,000,000) for businesses, units, and**



1 **individuals over any two (2) year period.**

2 ~~(6)~~ (7) Any requirement under any other law to conduct an  
3 analysis of the cost, benefits, economic impact, or fiscal impact  
4 of a rule, if applicable.

5 (d) The regulatory analysis must include a statement justifying any  
6 requirement or cost that is:

7 (1) imposed on a regulated entity under the rule; and

8 (2) not expressly required by:

9 (A) the statute authorizing the agency to adopt the rule; or

10 (B) any other state or federal law.

11 The statement required under this subsection must include a reference  
12 to any data, studies, or analyses relied upon by the agency in  
13 determining that the imposition of the requirement or cost is necessary.

14 **(e) Except as provided in subsection (f), if the implementation**  
15 **and compliance costs of a proposed rule are expected to exceed the**  
16 **threshold set forth in subsection (c)(6), the office of management**  
17 **and budget shall submit the rule to the legislative council, in an**  
18 **electronic format under IC 5-14-6, forty-five (45) days prior to the**  
19 **next regular legislative session. The legislative council shall inform**  
20 **members of the general assembly of a rule submitted under this**  
21 **subsection. A proposed rule described in this subsection shall not**  
22 **take effect until both the house of representatives and the senate**  
23 **have passed a bill authorizing the rule.**

24 **(f) Subsection (e) does not apply to a proposed rule if:**

25 **(1) a statute authorizes an agency to adopt the proposed rule**  
26 **despite the rule having a fiscal impact greater than the**  
27 **threshold in subsection (c)(6);**

28 **(2) the general assembly passed an amended statute**  
29 **authorizing an agency to adopt the rule and the fiscal note for**  
30 **the bill amending the statute included an estimate for the**  
31 **implementation and compliance costs for the rule that did not**  
32 **exceed the estimated implementation and compliance costs for**  
33 **the proposed rule calculated under this section; or**

34 **(3) the proposed rule is:**

35 **(A) a provisional rule that was issued as the result of the**  
36 **governor declaring an emergency under IC 10-14-3 and is**  
37 **only valid during the emergency;**

38 **(B) a provisional or interim rule that complies only with**  
39 **the requirements of a:**

40 **(i) federal law;**

41 **(ii) federal regulation; or**

42 **(iii) federal grant or loan program; or**



1                   **(C) an interim rule that incorporates a new or updated:**

2                   **(i) building;**

3                   **(ii) equipment;**

4                   **(iii) firefighting;**

5                   **(iv) safety; or**

6                   **(v) professional;**

7                   **code.**

8                   ~~(e)~~ **(g)** If an agency has made a good faith effort to comply with this  
9 section, a rule is not invalid solely because the regulatory analysis for  
10 the proposed rule is insufficient or inaccurate.

11                   SECTION 3. IC 4-22-2-37.1, AS AMENDED BY P.L.249-2023,  
12 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2024]: Sec. 37.1. (a) The following do not apply to a rule  
14 adopted under this section:

15                   (1) Sections 23 through 27 of this chapter or IC 13-14-9 (as  
16 applicable).

17                   (2) Sections 28 through 36 of this chapter.

18                   The amendments to this section made in the 2023 regular session of the  
19 general assembly apply to provisional rules that are accepted for filing  
20 by the publisher of the Indiana Register after June 30, 2023, regardless  
21 of whether the adopting agency initiated official action to adopt the rule  
22 by the name of emergency rule or provisional rule before July 1, 2023.  
23 An action taken before July 1, 2023, in conformity with this section (as  
24 effective after June 30, 2023) is validated to the same extent as if the  
25 action was taken after June 30, 2023.

26                   (b) An agency may adopt a rule on a subject for which the agency  
27 has rulemaking authority using the procedures in this section if the  
28 governor finds that the agency proposing to adopt the rule has  
29 demonstrated to the satisfaction of the governor that use of provisional  
30 rulemaking procedures under this section is necessary to avoid:

31                   (1) an imminent and a substantial peril to public health, safety, or  
32 welfare;

33                   (2) an imminent and a material loss of federal funds for an agency  
34 program;

35                   (3) an imminent and a material deficit;

36                   (4) an imminent and a substantial violation of a state or federal  
37 law or the terms of a federal agreement or program;

38                   (5) injury to the business or interests of the people or any public  
39 utility of Indiana as determined under IC 8-1-2-113;

40                   (6) an imminent and a substantial peril to:

41                   (A) wildlife; or

42                   (B) domestic animal;



1 health, safety, or welfare; or

2 (7) the spread of invasive species, pests, or diseases affecting  
3 plants.

4 To obtain a determination from the governor, an agency must submit  
5 to the governor the text of the proposed provisional rule, **the**  
6 **regulatory analysis required under section 22.7 of this chapter**, a  
7 statement justifying the need for provisional rulemaking procedures,  
8 and any additional information required by the governor in the form  
9 and in the manner required by the governor. The governor may not  
10 approve provisional rulemaking for any part of a proposed provisional  
11 rule that adds or amends language to increase or expand application of  
12 a fee, fine, or civil penalty or a schedule of fees, fines, or civil penalties  
13 before submitting the proposal to the budget committee for review. A  
14 notice of determination by the governor shall include findings that  
15 explain the basis for the determination. The notice of determination  
16 shall be provided to the agency in an electronic format. Approval of a  
17 request shall be treated as a determination that the rule meets the  
18 criteria in this subsection.

19 (c) After the governor approves provisional rulemaking procedures  
20 for a rule but before the agency adopts the provisional rule, the agency  
21 shall obtain a document control number from the publisher. The  
22 publisher shall determine the documents and the format of the  
23 documents that must be submitted to the publisher to obtain a  
24 document control number. The agency must submit at least the  
25 following:

26 (1) The full text of the proposed provisional rule in the form  
27 required by section 20 of this chapter.

28 **(2) The regulatory analysis submitted to the governor under**  
29 **subsection (b).**

30 ~~(3)~~ (3) A statement justifying the need for provisional rulemaking.

31 ~~(4)~~ (4) The approval of the governor to use provisional  
32 rulemaking procedures required by law.

33 ~~(5)~~ (5) The documents required by section 21 of this chapter.

34 An agency may not adopt a proposed provisional rule until after the  
35 publisher notifies the agency that the publisher has complied with  
36 subsection (d). At least ten (10) regular business days must elapse after  
37 the publisher has complied with subsection (d) before the department  
38 of natural resources, the natural resources commission, the department  
39 of environmental management, or a board that has rulemaking authority  
40 under IC 13 adopts a provisional rule.

41 (d) Upon receipt of documents described in subsection (c), the  
42 publisher shall distribute the full text of the proposed provisional rule



1 to legislators and legislative committees in the manner and the form  
 2 specified by the legislative council or the personnel subcommittee of  
 3 the legislative council acting for the legislative council. After  
 4 distribution has occurred, the publisher shall notify the agency of the  
 5 date that distribution under this subsection has occurred.

6 (e) After the document control number has been assigned and the  
 7 agency adopts the provisional rule, the agency shall submit the  
 8 following to the publisher for filing:

9 (1) The text of the adopted provisional rule. The agency shall  
 10 submit the provisional rule in the form required by section 20 of  
 11 this chapter.

12 (2) A signature page that indicates that the agency has adopted the  
 13 provisional rule in conformity with all procedures required by  
 14 law.

15 (3) If the provisional rule adds or amends language to increase or  
 16 expand application of a fee, fine, or civil penalty or a schedule of  
 17 fees, fines, or civil penalties, the agenda of the budget committee  
 18 meeting at which the rule was scheduled for review.

19 (4) The documents required by section 21 of this chapter.

20 The publisher shall determine the format of the provisional rule and  
 21 other documents to be submitted under this subsection. The substantive  
 22 text of the adopted provisional rule must be substantially similar to the  
 23 text of the proposed provisional rule submitted to the governor. A  
 24 provisional rule may suspend but not repeal a rule approved by the  
 25 governor under section 34 of this chapter.

26 (f) Subject to subsections (c) and (e) and section 39 of this chapter,  
 27 the publisher shall:

28 (1) accept the provisional rule for filing;

29 (2) electronically record the date and time that the provisional  
 30 rule is accepted; and

31 (3) publish the text of the:

32 (A) adopted provisional rule;

33 (B) **regulatory analysis (excluding appendices containing**  
 34 **data, studies, or analysis referenced in the regulatory**  
 35 **analysis); and the**

36 (C) governor's approval in the Indiana Register.

37 (g) A provisional rule adopted by an agency under this section takes  
 38 effect on the latest of the following dates:

39 (1) The effective date of the statute delegating authority to the  
 40 agency to adopt the provisional rule.

41 (2) The date and time that the provisional rule is accepted for  
 42 filing under subsection (f).





- 1 (3) The effective date stated by the adopting agency in the  
 2 provisional rule.
- 3 (4) The date of compliance with every requirement established by  
 4 law as a prerequisite to the adoption or effectiveness of the  
 5 provisional rule.
- 6 (5) The statutory effective date for a provisional rule set forth in  
 7 law.
- 8 (h) An agency may amend a provisional rule with another  
 9 provisional rule by following the procedures in this section for the  
 10 amended provisional rule. However, unless otherwise provided by  
 11 IC 4-22-2.3, a provisional rule and all amendments of a provisional rule  
 12 by another provisional rule expire not later than one hundred eighty  
 13 (180) days after the initial provisional rule is accepted for filing under  
 14 subsection (f). The subject of the provisional rule, including all  
 15 amendments to the provisional rule, may not be subsequently extended  
 16 under this section or section 37.2 of this chapter. If the governor  
 17 determines that the circumstance that is the basis for using the  
 18 procedures under this section ceases to exist, the governor may  
 19 terminate the provisional rule before the lapse of one hundred eighty  
 20 (180) days. The termination is effective when filed with the publisher.  
 21 The publisher shall publish the termination notice in the Indiana  
 22 Register.
- 23 (i) Subject to subsection (j), the attorney general or the governor  
 24 may file an objection to a provisional rule that is adopted under this  
 25 section not later than forty-five (45) days after the date that a  
 26 provisional rule or amendment to a provisional rule is accepted for  
 27 filing under subsection (f). The objection must cite the document  
 28 control number for the affected provisional rule and state the basis for  
 29 the objection. When filed with the publisher, the objection has the  
 30 effect of invalidating the provisional rule or amendment to a  
 31 provisional rule. The publisher shall publish the objection in the  
 32 Indiana Register.
- 33 (j) The attorney general may file a written objection to a provisional  
 34 rule under subsection (i) only if the attorney general determines that the  
 35 provisional rule has been adopted:
- 36 (1) without statutory authority; or  
 37 (2) without complying with this section.
- 38 A notice of objection to a provisional rule by the attorney general must  
 39 include findings that explain the basis for the determination. The notice  
 40 of objection shall be provided to the agency in an electronic format.
- 41 SECTION 4. IC 4-22-2-37.2, AS ADDED BY P.L.249-2023,  
 42 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 37.2. (a) The following do not apply to a rule  
2 adopted under this section:

3 (1) Sections 23 through 27 of this chapter or IC 13-14-9 (as  
4 applicable).

5 (2) Sections 28 through 36 of this chapter.

6 This section as added by the 2023 regular session of the general  
7 assembly applies to interim rules that are accepted for filing by the  
8 publisher of the Indiana Register after June 30, 2023, regardless of  
9 whether the adopting agency initiated official action to adopt the  
10 interim rule before July 1, 2023. An action taken before July 1, 2023,  
11 in conformity with this section (as effective after June 30, 2023) is  
12 validated to the same extent as if the action was taken after June 30,  
13 2023.

14 (b) An agency may only adopt a rule on a subject for which the  
15 agency has rulemaking authority using the procedures in this section if  
16 the governor finds that the agency proposing to adopt the rule has  
17 demonstrated to the satisfaction of the governor that use of interim  
18 rulemaking procedures under this section is necessary to implement:

19 (1) a new state or federal law or program, rule of another state  
20 agency, federal regulation, or federal grant or loan agreement, or  
21 (if used by the agency to carry out the agency's responsibilities)  
22 a building, an equipment, a firefighting, a safety, or a professional  
23 code adopted by a nationally recognized organization;

24 (2) a change in a state or federal law or program, rule of another  
25 state agency, federal regulation, federal grant or loan agreement,  
26 or (if used by the agency to carry out the agency's responsibilities)  
27 a building, an equipment, a firefighting, a safety, or a professional  
28 code adopted by a nationally recognized organization; or

29 (3) a category of rule authorized under IC 4-22-2.3 to be adopted  
30 as an interim rule;

31 before the time that a final rule approved by the governor under section  
32 34 of this chapter could reasonably take effect.

33 (c) To obtain a determination from the governor, an agency must  
34 submit to the governor the text of the proposed interim rule, **the**  
35 **regulatory analysis required under section 22.7 of this chapter**, a  
36 statement justifying the need for interim rulemaking procedures, and  
37 any additional information required by the governor in the form and in  
38 the manner required by the governor. The governor may not approve  
39 interim rulemaking for any part of a proposed interim rule that adds or  
40 amends language to increase or expand application of a fee, fine, or  
41 civil penalty or a schedule of fees, fines, or civil penalties before  
42 submitting the proposal to the budget committee for review. A notice



1 of determination by the governor shall include findings that explain the  
 2 basis for the determination. The notice of determination shall be  
 3 provided to the agency in an electronic format. Approval of a request  
 4 shall be treated as a determination that the rule meets the criteria in this  
 5 subsection.

6 (d) To publish a notice of interim rulemaking in the Indiana  
 7 Register, the agency must submit the following to the publisher:

8 (1) The full text of the agency's proposed interim rule in the form  
 9 required by section 20 of this chapter.

10 **(2) The regulatory analysis submitted to the governor under**  
 11 **subsection (c).**

12 ~~(3)~~ (3) The approval of the governor to use interim rulemaking  
 13 procedures for the rule.

14 ~~(4)~~ (4) If the interim rule adds or amends language to increase or  
 15 expand application of a fee, fine, or civil penalty or a schedule of  
 16 fees, fines, or civil penalties, the agenda of the budget committee  
 17 meeting at which the rule was scheduled for review.

18 ~~(5)~~ (5) The documents required by section 21 of this chapter.

19 The publisher shall review materials submitted under this section and  
 20 determine the date that the publisher intends to include the material in  
 21 the Indiana Register. After establishing the intended publication date,  
 22 the publisher shall provide a written or an electronic mail authorization  
 23 to proceed to the agency.

24 (e) The agency shall include the following in the notice of the public  
 25 comment period:

26 (1) A general description of the subject matter of the proposed  
 27 interim rule, including the document control number.

28 (2) The full text of the agency's proposed interim rule in the form  
 29 required by section 20 of this chapter (excluding the text of a  
 30 matter incorporated by reference under section 21 of this chapter).

31 **(3) The regulatory analysis submitted to the governor under**  
 32 **subsection (c) (excluding appendices containing data, studies,**  
 33 **or analyses referenced in the regulatory analysis).**

34 ~~(4)~~ (4) A statement justifying any requirement or cost that is:

35 (A) imposed on a regulated entity under the interim rule; and

36 (B) not expressly required by the statute authorizing the  
 37 agency to adopt rules or any other state or federal law.

38 The statement required under this subdivision must include a  
 39 reference to any data, studies, or analyses relied upon by the  
 40 agency in determining that the imposition of the requirement or  
 41 cost is necessary.

42 ~~(5)~~ (5) Information concerning where, when, and how a person



- 1 may inspect and copy any data, studies, or analyses referenced  
 2 under subdivision ~~(3)~~: **(4)**.
- 3 ~~(5)~~ **(6)** Information concerning where, when, and how a person  
 4 may inspect any documents incorporated by reference into the  
 5 proposed interim rule under section 21 of this chapter.
- 6 ~~(6)~~ **(7)** A date that is thirty (30) days after the notice is published  
 7 in the Indiana Register by which written comments are due and a  
 8 statement explaining that any person may submit written  
 9 comments concerning the proposed interim rule during the public  
 10 comment period and instructions on when, where, and how the  
 11 person may submit written comments.
- 12 However, inadequacy or insufficiency of the subject matter description  
 13 under subdivision (1) or a statement of justification under subdivision  
 14 ~~(3)~~ **(4)** in a notice does not invalidate a rulemaking action. An agency  
 15 may continue the public comment period by publishing a subsequent  
 16 notice in the Indiana Register extending the public comment period.
- 17 (f) Before adopting the interim rule, the agency shall prepare a  
 18 written response to comments received by the agency, including the  
 19 reasons for rejecting any recommendations made in the comments.
- 20 (g) After an agency has completed the public comment period and  
 21 complied with subsection (f), the agency may:
- 22 (1) adopt a rule that is identical to a proposed interim rule  
 23 published in the Indiana Register under this section; or  
 24 (2) adopt a revised version of a proposed interim rule published  
 25 under this section and include provisions that did not appear in  
 26 the initially published proposed version.
- 27 An agency may not adopt an interim rule that substantially differs from  
 28 the version of the proposed interim rule published in the Indiana  
 29 Register under this section, unless it is a logical outgrowth of any  
 30 proposed interim rule as supported by any written comments submitted  
 31 during the public comment period.
- 32 (h) After the agency adopts the interim rule, the agency shall submit  
 33 the following to the publisher for filing:
- 34 (1) The text of the adopted interim rule. The agency shall submit  
 35 the full text of the interim rule in the form required by section 20  
 36 of this chapter.
- 37 (2) A summary of the comments received by the agency during  
 38 the public comment period and the agency's response to the  
 39 comments.
- 40 (3) A signature page that indicates that the agency has adopted the  
 41 interim rule in conformity with all procedures required by law.
- 42 (4) The documents required by section 21 of this chapter.



1 The publisher shall determine the format of the interim rule and other  
 2 documents to be submitted under this subsection. An interim rule may  
 3 suspend but not repeal a rule approved by the governor under section  
 4 34 of this chapter.

5 (i) Subject to subsection (h) and section 39 of this chapter, the  
 6 publisher shall:

7 (1) accept the interim rule for filing;

8 (2) electronically record the date and time that the interim rule is  
 9 accepted; and

10 (3) publish the text of the:

11 (A) adopted interim rule;

12 **(B) regulatory analysis (excluding appendices containing**  
 13 **data, studies, or analysis referenced in the regulatory**  
 14 **analysis); and the**

15 (C) governor's approval in the Indiana Register.

16 (j) An interim rule adopted by an agency under this section takes  
 17 effect on the latest of the following dates:

18 (1) The effective date of the statute delegating authority to the  
 19 agency to adopt the interim rule.

20 (2) The date and time that the interim rule is accepted for filing  
 21 under subsection (i).

22 (3) The effective date stated by the adopting agency in the interim  
 23 rule.

24 (4) The date of compliance with every requirement established by  
 25 law as a prerequisite to the adoption or effectiveness of the  
 26 interim rule.

27 (5) The statutory effective date for an interim rule set forth in law.

28 (k) An agency may amend an interim rule with another interim rule  
 29 by following the procedures in this section for adoption of an interim  
 30 rule. Except as provided in IC 4-22-2.3, an interim rule and all  
 31 subsequent rules on the same subject adopted under section 37.1 of this  
 32 chapter or this section expire not later than four hundred twenty-five  
 33 (425) days after the initial interim rule is accepted for filing under  
 34 subsection (i).

35 (l) Subject to subsection (m), the attorney general or the governor  
 36 may file an objection to an interim rule that is adopted under this  
 37 section not later than forty-five (45) days after the date that an interim  
 38 rule or amendment to an interim rule is accepted for filing under  
 39 subsection (i). The objection must cite the document control number  
 40 for the affected interim rule and state the basis for the objection. When  
 41 filed with the publisher, the objection has the effect of invalidating the  
 42 interim rule or amendment to an interim rule. The publisher shall



1 publish the objection in the Indiana Register.  
2 (m) The attorney general may file a written objection to an interim  
3 rule under subsection (l) only if the attorney general determines that the  
4 interim rule has been adopted:  
5 (1) without statutory authority; or  
6 (2) without complying with this section.  
7 A notice of objection to an interim rule by the attorney general must  
8 include findings that explain the basis for the determination. The notice  
9 of objection shall be provided to the agency in an electronic format.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 297, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 297 as introduced.)

BROWN L, Chairperson

Committee Vote: Yeas 9, Nays 2

