

1 ENGROSSED SENATE
2 BILL NO. 1136

By: Dahm of the Senate

3 and

4 Murphey of the House

5
6 [agency operations - federal rule and regulation
7 review procedures - codification - effective date]
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9 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

10 SECTION 1. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 308b of Title 75, unless there
12 is created a duplication in numbering, reads as follows:

13 A. Upon receipt by a state agency of a requirement for an
14 agency to adopt, follow or otherwise submit to any new federal rule
15 or regulation or change to an existing federal rule or regulation,
16 or interpretation of any rule or regulation, that agency shall send
17 the federal rule or regulation by electronic mail to the President
18 Pro Tempore of the Senate, the Speaker of the House of
19 Representatives and the Governor.

20 B. By the adoption of a joint resolution, the Legislature may
21 disapprove implementation by a state agency of any federal rule or
22 regulation imposed on a state agency.

23 C. Unless otherwise authorized by the Legislature, whenever a
24 rule or regulation is disapproved as provided in subsection B of

1 this section, the agency subject to such rules or regulations shall
2 not have authority to follow, interpret or abide by any requirements
3 of the rule or regulation as specified by the Legislature. Any
4 effective rule or regulation which would have been imposed on an
5 agency when the Legislature was not in session shall be deemed null
6 and void on the date the Legislature disapproves the rule or
7 regulation by a resolution provided in subsection B of this section.
8 Federal rules and regulations imposed on state agencies may be
9 disapproved for implementation in part or in whole by the
10 Legislature. Upon enactment of any joint resolution disapproving
11 implementation of a rule or regulation, the agency shall file notice
12 of such legislative disapproval with the Oklahoma Attorney General.

13 D. A federal rule or regulation shall be deemed authorized for
14 state agency compliance, if disapproved by a joint resolution
15 pursuant to subsection B of this section which has been vetoed by
16 the Governor in accordance with Section 11 of Article VI of the
17 Oklahoma Constitution and the veto has not been overridden.

18 E. State agencies and their employees complying with the
19 provisions of this act shall be exempt from liability pursuant to
20 Section 155 of Title 51 of the Oklahoma Statutes.

21 F. Any rights, privileges or interests gained by any person by
22 operation of a federal rule or regulation applied prior to the
23 adoption of a joint resolution pursuant to this section, shall not
24 be affected by reason of any subsequent disapproval of

1 implementation of such rule or regulation by either house of the
2 Legislature.

3 SECTION 2. This act shall become effective November 1, 2016.

4 Passed the Senate the 9th day of March, 2016.

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Presiding Officer of the Senate

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8 Passed the House of Representatives the ____ day of _____,

9 2016.

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Presiding Officer of the House
of Representatives

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