

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 329

By: Dahm

AS INTRODUCED

An Act relating to agency operations; providing procedures for federal rule and regulation review for state agencies; authorizing the Legislature to disapprove implementation of certain rules and regulations; prohibiting certain conduct upon certain disapproval; stating when certain rules and regulations are operative; providing for certain exemption from liability; clarifying application to certain rights, privileges or interests gained by certain persons; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

A. Upon receipt by a state agency of a requirement for an agency to adopt, follow or otherwise submit to any new federal rule or regulation or change to an existing federal rule or regulation, or interpretation of any rule or regulation, that agency shall send the federal rule or regulation by electronic mail to the President

1 Pro Tempore of the Senate, the Speaker of the House of
2 Representatives and the Governor.

3 B. By the adoption of a joint resolution, the Legislature may
4 disapprove the implementation of any federal rule or regulation
5 imposed on a state agency.

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

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

1 E. State agencies and their employees complying with the
2 provisions of this section shall be exempt from liability pursuant
3 to Section 155 of Title 51 of the Oklahoma Statutes.

4 F. Any rights, privileges or interests gained by any person by
5 operation of a federal rule or regulation applied prior to the
6 adoption of a joint resolution pursuant to this section, shall not
7 be affected by reason of any subsequent disapproval or rejection of
8 such rule or regulation by either house of the Legislature.

9 SECTION 2. This act shall become effective November 1, 2019.

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