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H.B. No. 1322

A BILL TO BE ENTITLED

AN ACT

relating to a summary of a rule proposed by a state agency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 2001.023, Government Code, is amended by adding Subsection (c) to read as follows:

(c) At the time a state agency files notice of a proposed rule under Subsection (b), the agency shall publish on the agency's Internet website the brief explanation of the proposed rule required under Section 2001.024(a)(1).

SECTION 2. Section 2001.024, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) The notice of a proposed rule must include:

(1) a brief explanation of the proposed rule written in plain language in both English and Spanish, for state websites that already provide the translation;

(2) the text of the proposed rule, except any portion omitted under Section 2002.014, prepared in a manner to indicate any words to be added or deleted from the current text;

(3) a statement of the statutory or other authority under which the rule is proposed to be adopted, including:

(A) a concise explanation of the particular statutory or other provisions under which the rule is proposed;

(B) the section or article of the code affected;

1 [~~and~~]

2 (C) if applicable, the bill number for the
3 legislation that enacted the statutory authority under which the
4 rule is proposed to be adopted; and

5 (D) a certification that the proposed rule has
6 been reviewed by legal counsel and found to be within the state
7 agency's authority to adopt;

8 (4) a fiscal note showing the name and title of the
9 officer or employee responsible for preparing or approving the note
10 and stating for each year of the first five years that the rule will
11 be in effect:

12 (A) the additional estimated cost to the state
13 and to local governments expected as a result of enforcing or
14 administering the rule;

15 (B) the estimated reductions in costs to the
16 state and to local governments as a result of enforcing or
17 administering the rule;

18 (C) the estimated loss or increase in revenue to
19 the state or to local governments as a result of enforcing or
20 administering the rule; and

21 (D) if applicable, that enforcing or
22 administering the rule does not have foreseeable implications
23 relating to cost or revenues of the state or local governments;

24 (5) a note about public benefits and costs showing the
25 name and title of the officer or employee responsible for preparing
26 or approving the note and stating for each year of the first five
27 years that the rule will be in effect:

1 (A) the public benefits expected as a result of
2 adoption of the proposed rule; and

3 (B) the probable economic cost to persons
4 required to comply with the rule;

5 (6) the local employment impact statement prepared
6 under Section 2001.022, if required;

7 (7) a request for comments on the proposed rule from
8 any interested person; and

9 (8) any other statement required by law.

10 (a-1) For purposes of Subsection (a)(1), an explanation is
11 written in plain language if it is concise and well organized in a
12 way that the general public, including individuals with limited
13 English proficiency, can readily understand.

14 SECTION 3. The change in law made by this Act applies only
15 to a proposed state agency rule for which notice is filed with the
16 secretary of state under Section 2001.023, Government Code, on or
17 after the effective date of this Act.

18 SECTION 4. This Act takes effect September 1, 2021.