

By: Shaheen

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 or another generally accessible Internet website a brief explanation of the proposed rule that includes the plain-language summary required under Section 2001.024(a)(1).

SECTION 2. Section 2001.024(a), Government Code, is amended to read as follows:

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

(1) a brief explanation of the proposed rule that includes a plain-language summary of not more than 100 words;

(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;

and

1 (C) a certification that the proposed rule has
2 been reviewed by legal counsel and found to be within the state
3 agency's authority to adopt;

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

8 (A) the additional estimated cost to the state
9 and to local governments expected as a result of enforcing or
10 administering the rule;

11 (B) the estimated reductions in costs to the
12 state and to local governments as a result of enforcing or
13 administering the rule;

14 (C) the estimated loss or increase in revenue to
15 the state or to local governments as a result of enforcing or
16 administering the rule; and

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

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

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

26 (B) the probable economic cost to persons
27 required to comply with the rule;

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

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

5 (8) any other statement required by law.

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

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