

House Bill 1322
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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).

No equivalent provision. *(But see SECTION 2 (a-1) below.)*

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; **[and]**

SENATE VERSION (CS)

SECTION 1. Section 2001.023, Government Code, is amended by adding **Subsections (c) and (d)** 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 a summary of the proposed rule written in plain language in both English and Spanish in accordance with Section 2054.116.

(d) For purposes of Subsection (c), a summary is written in plain language if it uses language the general public, including individuals with limited English proficiency, can readily understand because the language is concise and well-organized.

No equivalent provision.

No equivalent provision. *(But see SECTION 1(c) above.)*

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

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

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

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

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

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

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

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

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

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

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

(7) a request for comments on the proposed rule from any

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interested person; and
(8) any other statement required by law.

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

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

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

SENATE VERSION (CS)

No equivalent provision. *(But see SECTION 1(d) above.)*

SECTION 2. Same as House version.

SECTION 3. Same as House version.

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