

By: Harrison

H.B. No. 1948

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a requirement that certain rules proposed by state  
3 agencies in the executive branch of state government be approved by  
4 certain elected state officials.

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

6 SECTION 1. Section [2001.024](#), Government Code, is amended by  
7 adding Subsection (d) to read as follows:

8 (d) This subsection applies only to a rule proposed by a  
9 state agency in the executive branch of state government. In  
10 addition to any other requirement under this section, the notice of  
11 a proposed rule to which this subsection applies must include a  
12 certification that the rule has been reviewed and approved by the  
13 governor or, if the state agency providing notice of the proposed  
14 rule is governed by one or more elected state officers, an elected  
15 state officer of that agency. The certification must be signed by  
16 the governor or an elected state officer of the agency, as  
17 applicable.

18 SECTION 2. Section [2001.034](#), Government Code, is amended by  
19 adding Subsection (e) to read as follows:

20 (e) This subsection applies only to an emergency rule  
21 proposed under this section by a state agency in the executive  
22 branch of state government. Not later than the 10th day after the  
23 date a state agency adopts an emergency rule to which this  
24 subsection applies, the agency must submit the rule for approval by

1 the governor or, if the agency submitting the rule for approval is  
2 governed by one or more elected state officers, an elected state  
3 officer of that agency. Notwithstanding Subsection (c) of this  
4 section, if the governor or an elected state officer of the agency,  
5 as applicable, does not approve the emergency rule, the emergency  
6 rule may not be renewed by the agency and a rule that is  
7 substantially the same as the disapproved emergency rule may not be  
8 adopted by the agency under Sections [2001.023](#) and [2001.029](#).

9         SECTION 3. The changes in law made by this Act apply only to  
10 a state agency rule proposed on or after the effective date of this  
11 Act. A rule proposed before that date is governed by the law in  
12 effect on the date the rule was proposed, and the former law is  
13 continued in effect for that purpose.

14         SECTION 4. This Act takes effect September 1, 2023.