By: Harrison H.B. No. 695

A BILL TO BE ENTITLED

AN ACT

relating to state agency review of adopted rules.

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

SECTION 1. Section 2001.039, Government Code, is amended by amending Subsection (e) and adding Subsections (f), (g), and (h) to read as follows:

(e) A state agency's review of a rule must include an assessment of:

(1) whether the reasons for initially adopting the rule continue to exist; and

(2) any cost imposed on regulated persons that subjects the rule to Section 2001.0045.

(f) A state agency shall publish on the agency's Internet website each assessment the agency conducts under Subsection (e)(2) and include a link on the website to the data, working papers, and other materials the agency used to complete the assessment.

(g) If a state agency fails to complete a rule review in accordance with this section by the date required under Subsection (b), the rule expires on the day following the date required under that subsection and is considered void and unenforceable.

(h) Any person potentially injured by the continued enforcement of a rule that has expired under Subsection (g) may file a civil action to obtain a declaratory judgment against and injunctive relief from the rule's continued enforcement. The

action may be filed in a district court in the person's county of residence or in Travis County. A plaintiff who substantially prevails in the action is entitled to recover reasonable costs and attorney's fees from the state agency that adopted the rule.

SECTION 2. This Act takes effect September 1, 2027.