

1-1 By: Kolkhorst, Bettencourt S.B. No. 210
 1-2 (In the Senate - Filed November 14, 2016; January 25, 2017,
 1-3 read first time and referred to Committee on Business & Commerce;
 1-4 April 24, 2017, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 24, 2017,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16			X	
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 210 By: Creighton

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the required repeal or amendment of two state agency
 1-22 rules before adoption of a new state agency rule that increases
 1-23 costs to regulated persons.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter A, Chapter 2001, Government Code, is
 1-26 amended by adding Section 2001.0045 to read as follows:

1-27 Sec. 2001.0045. REQUIREMENT FOR RULE INCREASING COSTS TO
 1-28 REGULATED PERSONS. (a) In this section, "state agency" has the
 1-29 meaning assigned by Section 2001.006.

1-30 (b) Except as provided by Subsection (c), a state agency may
 1-31 not adopt a proposed rule for which the fiscal note for the notice
 1-32 required by Section 2001.024 states that the rule imposes a cost on
 1-33 any regulated person, including another state agency, a special
 1-34 district, and a local government, unless on or before the effective
 1-35 date of the proposed rule the state agency:

1-36 (1) repeals two state agency rules that impose total
 1-37 costs on the person in an amount equal to or greater than the cost
 1-38 imposed on the person by the proposed rule;

1-39 (2) amends two state agency rules to decrease the
 1-40 total costs imposed on the person by an amount equal to or greater
 1-41 than the cost imposed on the person by the proposed rule; or

1-42 (3) repeals one state agency rule and amends one state
 1-43 agency rule to decrease the total costs imposed on the person by an
 1-44 amount equal to or less than the proposed rule.

1-45 (c) This section does not apply to a rule that:

1-46 (1) relates to state agency procurement; or

1-47 (2) is amended to:

1-48 (A) reduce the burden or responsibilities
 1-49 imposed on a regulated person by the rule; or

1-50 (B) decrease the person's cost for compliance
 1-51 with the rule.

1-52 (d) Each state agency that adopts a rule subject to this
 1-53 section shall comply with the requirements imposed by Subchapter B
 1-54 and Chapter 2002 for publication in the Texas Register.

1-55 SECTION 2. Section 2001.0045, Government Code, as added by
 1-56 this Act, applies only to a rule proposed by a state agency on or
 1-57 after the effective date of this Act. A rule proposed before that
 1-58 date is governed by the law in effect on the date the rule was
 1-59 proposed, and the former law is continued in effect for that
 1-60 purpose.

2-1 SECTION 3. This Act takes effect only if a specific
2-2 appropriation for the implementation of the Act is provided in a
2-3 general appropriations act of the 85th Legislature.
2-4 SECTION 4. This Act takes effect September 1, 2017.

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