ENROLLED HOUSE
BILL NO. 2381 By: Seikel of the House

and

Herbert of the Senate

An Act relating to the Administrative Procedures Act; amending 75 O.S. 1991, Section 255, which relates to publication of The Oklahoma Register; modifying distribution requirements; deleting certain maintenance requirements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 75 O.S. 1991, Section 255, is amended to read as follows:

Section 255. A. The Secretary is hereby authorized, directed, and empowered to publish The Oklahoma Register not less than monthly for the publication of new rules, any amendment, revision or revocation of an existing rule, emergency rules, any notices of such rulemaking process and Executive Orders as are required by law to be published in The Oklahoma Register. Said rules or amendments, revisions, or revocations of existing rules shall be published in the first issue of The Oklahoma Register published pursuant to Sections 251, 253, 256, 303, 303.1 and 308 of this title after the date of acceptance by the Secretary. The Secretary shall cause a copy of each publication of The Oklahoma Register to be sent to ~~every~~ those county ~~clerk in this state~~ clerks who request it, to members of the Legislature upon request, and to such other agencies, libraries, and officials ~~he~~ the Secretary may select. The Secretary may charge recipients of the publication a cost sufficient to defray the cost of publication and mailing. The Secretary shall cause a copy of all rules, all new rules, and all amendments, revisions, or revocations of existing rules to be on file and available for public examination in the Office during normal office hours. ~~The county clerks shall also maintain or cause to be maintained files of these publications for public examination during normal office hours.~~ The Secretary shall promulgate rules to systematize the designations of rules. To establish said system or to preserve uniformity of designations, the Secretary may require the agency to change the title or numbering of any rule or any amendment, revision, or revocation thereof.

B. The Secretary is authorized to provide for the publication of rules in summary form when the rules are of such length that publication of the full text would be too costly. The summary shall be prepared by the agency submitting the rules and shall state where the full text of the rule may be obtained.

C. The notice required pursuant to the provisions of Section 303 of this title shall be published in The Oklahoma Register prior to the adoption of a new rule, or amendment, revision or revocation of any existing rule. The notice shall include the information required by Section 303 of this title.

D. Rules which have been filed pursuant to Section 251 of this title, published pursuant to the provisions of Section 255 of this title, and otherwise comply with the Administrative Procedures Act shall be considered promulgated.

SECTION 2. This act shall become effective November 1, 1996.

Passed the House of Representatives the 26th day of February, 1996.

Speaker of the House of Representatives

Passed the Senate the 2nd day of April, 1996.

President of the Senate