

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 636

By: Dahm

6 AS INTRODUCED

7 An Act relating to agency operations; providing
8 procedures for federal rule and regulation review for
9 state agencies; authorizing the Legislature to
10 disapprove certain rules and regulations; prohibiting
11 certain conduct upon certain disapproval; stating
12 when certain rules and regulations are operative;
13 providing for certain exemption from liability;
14 clarifying application to certain rights, privileges
15 or interests gained by certain persons; providing for
16 codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 308b of Title 75, unless there
17 is created a duplication in numbering, reads as follows:

18 A. Upon receipt by a state agency of a requirement for an
19 agency to adopt, follow or otherwise submit to any new federal rule
20 or regulation or change to an existing federal rule or regulation,
21 or interpretation of any rule or regulation, that agency shall send
22 the federal rule or regulation by electronic mail to the President
23 Pro Tempore of the Senate, the Speaker of the House of
24 Representatives and the Governor.

1 B. By the adoption of a joint resolution, the Legislature may
2 disapprove implementation of any federal rule or regulation imposed
3 on a state agency.

4 C. Unless otherwise authorized by the Legislature, whenever
5 implementation of a rule or regulation is disapproved as provided in
6 subsection B of this section, the agency subject to such rules or
7 regulations shall not have authority to follow, interpret or abide
8 by any requirements of the rule or regulation as specified by the
9 Legislature. Any effective rule or regulation which would have been
10 imposed on an agency when the Legislature was not in session shall
11 be deemed null and void on the date the Legislature disapproves the
12 rule or regulation by a resolution provided in subsection B of this
13 section. Federal rules and regulations imposed on state agencies
14 may be disapproved in part or in whole by the Legislature. Upon
15 enactment of any joint resolution disapproving a rule or regulation,
16 the agency shall file notice of such legislative disapproval with
17 the Oklahoma Attorney General.

18 D. A federal rule or regulation shall be deemed authorized for
19 state agency compliance, if disapproved by a joint resolution
20 pursuant to subsection B of this section which has been vetoed by
21 the Governor in accordance with Section 11 of Article VI of the
22 Oklahoma Constitution and the veto has not been overridden.

1 E. State agencies and their employees complying with the
2 provisions of this act shall be exempt from liability pursuant to
3 Section 155 of Title 51 of the Oklahoma Statutes.

4 F. Any rights, privileges or interests gained by any person by
5 operation of a federal rule or regulation applied prior to the
6 adoption of a joint resolution pursuant to this section, shall not
7 be affected by reason of any subsequent disapproval or rejection of
8 such rule or regulation by either house of the Legislature.

9 SECTION 2. This act shall become effective November 1, 2017.

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