

HOUSE BILL NO. HB0117

Administrative rules-takings assessment.

Sponsored by: Representative(s) Greear, Semlek and Wallis
and Senator(s) Christensen

A BILL

for

1 AN ACT relating to administrative procedure; requiring an
2 agency to complete an assessment evaluating whether a
3 proposed administrative rule is a regulatory taking; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 16-3-103(a)(i) by creating a new
9 subparagraph (H) and by creating a new paragraph (iii) is
10 amended to read:

11

12 **16-3-103. Adoption, amendment and repeal of rules;**
13 **notice; hearing; emergency rules; proceedings to contest;**
14 **review and approval by governor.**

15

1 (a) Prior to an agency's adoption, amendment or
2 repeal of all rules other than interpretative rules or
3 statements of general policy, the agency shall:

4
5 (i) Give at least forty-five (45) days notice of
6 its intended action. Notice shall be mailed to all persons
7 making timely requests of the agency for advanced notice of
8 its rulemaking proceedings and to the attorney general, the
9 secretary of state's office as registrar of rules, and the
10 legislative service office if a state agency. The agency
11 shall submit a copy of the proposed rules, in a format
12 conforming to any requirements prescribed pursuant to
13 subsection (f) of this section, with the notice given to
14 the legislative service office. The notice shall include:

15
16 (H) A statement that the agency has
17 complied with the requirements of W.S. 9-5-304 and the
18 location where an interested person may obtain a copy of
19 the assessment used to evaluate the proposed rule pursuant
20 to W.S. 9-5-304.

21
22 (iii) Comply with the requirements of W.S.
23 9-5-304.

