

## HOUSE BILL NO. HB0123

Unified administrative code and data base.

Sponsored by: Management Council

## A BILL

for

1 AN ACT relating to administrative procedure; providing for  
2 an administrative code and data base system as specified;  
3 specifying effective dates for rules; specifying duties;  
4 providing an appropriation; and providing for an effective  
5 date.

6

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

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9       **Section 1.**     W.S. 16-3-101(b) by creating a new  
10 paragraph (xii) and by renumbering (xii) as (xiii),  
11 16-3-103(a)(i) by creating a new subparagraph (J),  
12 16-3-104(b)(intro) and (i) and 16-3-105(a) and (d) are  
13 amended to read:

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15       **16-3-101. Short title; definitions.**

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17       (b) As used in this act:

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2 (xii) "Internet" means as defined in W.S.  
3 9-2-1035(a)(iii);

4

5 ~~(xii)~~ (xiii) "This act" means W.S. 16-3-101  
6 through 16-3-115.

7

8 16-3-103. Adoption, amendment and repeal of rules;  
9 notice; hearing; emergency rules; proceedings to contest;  
10 review and approval by governor.

11

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

15

16 (i) Give at least forty-five (45) days notice of  
17 its intended action. Notice shall be mailed to all persons  
18 making timely requests of the agency for advanced notice of  
19 its rulemaking proceedings and to the attorney general, the  
20 secretary of state's office as registrar of rules, and the  
21 legislative service office if a state agency. The agency  
22 shall submit a copy of the proposed rules, in a format  
23 conforming to any requirements prescribed pursuant to

1 subsection (f) of this section, with the notice given to  
2 the legislative service office. The notice shall include:

3  
4 (J) If an agency's rules provide for an  
5 effective date under W.S. 16-3-104(b)(i), a statement of  
6 the reasons for the different effective date.

7  
8 16-3-104. Filing of copies of rules; permanent  
9 register; effective dates; manner of preparation; advice  
10 and assistance of attorney general.

11  
12 (b) For state agencies, each rule and any amendment  
13 or repeal ~~adopted after June 1, 1982 is effective after~~  
14 ~~filing~~ is effective on the earlier of July 1 or January 1  
15 following the filing of the rule in accordance with  
16 subsection (a) of this section and W.S. 28-9-108 and for  
17 all other agencies, each rule and any amendment or repeal  
18 is effective following the filing of the rule in accordance  
19 with subsection (a) of this section except:

20  
21 (i) For state agencies, if a different date is  
22 approved by the governor and specified in the rule, the  
23 different date is the effective date. For all other  
24 agencies, if a later date is required by statute or

1 specified in the rule, the later date is the effective  
2 date. Provided, however, that no rule shall be effective  
3 until after the filing of the rule under subsection (a) of  
4 this section;

5  
6 16-3-105. Compilation and indexing of administrative  
7 code; charges for copies; authentication by registrar.

8  
9 (a) The registrar of state agency rules shall  
10 compile, index and publish ~~the rules adopted by each agency~~  
11 ~~and remaining in effect. The compilation shall be~~  
12 ~~supplemented or revised at least once every two (2) years.~~  
13 a Wyoming administrative code. The code shall:

14  
15 (i) Contain each rule adopted by a state agency,  
16 but shall not contain emergency rules;

17  
18 (ii) Be compiled, numbered and indexed in a  
19 unified manner that permits the code to be easily amended  
20 and affords ease of use and accessibility to the public,  
21 including strong and effective word search capabilities;

22  
23 (iii) Be available to the public at no charge  
24 through the Internet;

1

2           (iv) Be updated on the Internet as soon as  
3 practicable after the effective date of newly adopted or  
4 amended rules and be updated in a hardcopy format twice a  
5 year.

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7           (d) The registrar of state agency rules shall  
8 annually compile and publish an index of all state agency  
9 rules filed with the registrar as of ~~December 31~~ July 1 and  
10 January 1 of each year. The index shall list the effective  
11 date of each set of rules or the effective date of each set  
12 of amendments to an agency's rules. Copies of the index  
13 shall be distributed as provided by W.S. 16-3-105(b).

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15           **Section 2.**

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17           (a) The governor's office shall proceed, as part of  
18 the streamlining government initiative, to review and  
19 improve state agency rules and regulations and shall:

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21           (i) In cooperation with the secretary of state  
22 and chief information officer, develop an updated and  
23 modernized state rules data base system that provides the  
24 public and state agencies easy access to proposed,

1 emergency and final rules. The system shall include  
2 electronic submission of agency and public comments and  
3 electronic filing of administrative rules. The governor may  
4 appoint a rules task force and consult with such other  
5 agencies as he deems appropriate to assist the secretary of  
6 state's office in the development and implementation of the  
7 state rules data base system as required by law;

8  
9 (ii) In consultation with the secretary of state  
10 and chief information officer, report to the joint  
11 appropriations interim committee and management council by  
12 October 1, 2014 and October 1, 2015 on the progress, budget  
13 and timeline for completion of the administrative code and  
14 the updated rules data base.

15  
16 **Section 3.**

17  
18 (a) The following funds are appropriated to the  
19 secretary of state for purposes of this act, including  
20 improving access, filing and tracking of rules and to  
21 compile, index and publish a Wyoming administrative code as  
22 provided in this act:

1           (i) Six hundred ninety-two thousand sixty-three  
2 dollars (\$692,063.00) from the strategic investments and  
3 projects account created in 2013 Wyoming Session Laws,  
4 Chapter 73, Section 300(e); and

5  
6           (ii) One hundred twenty-five thousand dollars  
7 (\$125,000.00) or as much thereof as is available, from  
8 unobligated monies appropriated from the general fund to  
9 the office of the governor under 2013 Wyoming Session Laws,  
10 Chapter 73, Section 2, Section 001, footnote 4, which  
11 notwithstanding W.S. 9-2-1008, 9-2-1012(e) and 9-4-207(a),  
12 shall not revert on June 30, 2014, but are hereby  
13 reappropriated to the secretary of state.

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15           (b) Appropriations under this section:

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17           (i) Shall only be expended for the purposes  
18 specified and shall not be transferred or expended for any  
19 other purpose;

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21           (ii) Shall be reduced dollar for dollar by any  
22 appropriation provided for purposes of the streamlining  
23 government initiative by 2014 HB0001 as enacted into law.

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