

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1161

By: Dahm

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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.

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

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

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

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

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

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

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

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

6 SECTION 2. This act shall become effective November 1, 2016.

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