

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 617

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO THE IDAHO ADMINISTRATIVE PROCEDURE ACT; AMENDING SECTION 67-5292, IDAHO CODE, TO REVISE PROVISIONS REGARDING EXPIRATION OF ADMINISTRATIVE RULES AND TO REMOVE PROVISIONS REGARDING EXPIRATION OF ADMINISTRATIVE RULES; AND DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 67-5292, Idaho Code, be, and the same is hereby amended to read as follows:

67-5292. EXPIRATION OF ADMINISTRATIVE RULES. ~~(1)~~ Notwithstanding any other provision of this chapter to the contrary, every rule adopted and becoming effective after June 30, 1990, shall automatically expire on July 1 of the following year unless the rule is extended by statute concurrent resolution(s) or as otherwise provided by joint rule, not subject to veto by the governor. Extended rules shall then continue to expire annually on July 1 of each succeeding year unless extended by statute concurrent resolution(s) or as otherwise provided by joint rule, not subject to veto by the governor, in each such succeeding year.

~~(2) All rules adopted prior to June 30, 1990, shall expire on July 1, 1991, unless extended by statute. Thereafter, any rules which are extended shall then continue to expire annually on July 1 of each succeeding year unless extended by statute in each succeeding year.~~

~~(3) This section is a critical and integral part of this chapter. If any portion of this section or the application thereof to any person or circumstance is held invalid, the invalidity shall be deemed to affect all rules adopted subsequent to the effective date of this act and such rules shall be deemed null, void and of no further force and effect.~~

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval, and retroactively to January 1, 2020.