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MEMORANDUM

To: Chairwoman McGinn and members of the Senate Ways and Means Committee

From: Jill A. Wolters, First Assistant Revisor

Date: January 24, 2020

Subject: **SB244.** Administrative rules and regulations shall sunset five years after adoption unless the legislature adopted legislation to renew such rule and regulation.

Pursuant to the provisions of SB244, all rules and regulations adopted by state agencies in existence on July 1, 2020, would expire five years from that date, and any new rule or regulation or substantial amendment of an existing rule or regulation would expire on July 1 of the fifth year after such enactment, unless the legislature adopts legislation to renew such rule or regulation. A rule or regulation is substantially amended if the amendment expands or narrows the scope of the rule or regulation.

On July 15, in the year before the expiration of a rule or regulation, the revisor of statutes shall certify the language and the Kansas administrative regulations citation of each rule and regulation that will expire in the following year to the president of the senate and the speaker of the house of representatives. Any rule and regulation that is not identified and certified to the president and the speaker is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify a rule and regulation that the revisor subsequently determines should have been certified, the revisor shall include the rule and regulation in the following year's certification, after such determination.

A rule and regulation may be adopted or maintained by a state agency only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose.

The bill will take effect upon publication in the statute book.