

2023 Kansas Statutes

77-426. Existing rules and regulations continued in effect; effective date of permanent rules and regulations; filing with joint legislative committee; legislature may request revocation or amendment of rules and regulations; expedited revocation. (a) All rules and regulations that are in force and effect at the time this act takes effect shall continue in full force and effect and may be amended, revived or revoked as provided by law. All new rules and regulations and all amendments, revivals or revocations of rules and regulations, other than temporary regulations, adopted in any year shall be filed with the secretary of state and shall become effective 15 days following its publication in the Kansas register or such later date as clearly expressed in the body of such rule and regulation.

(b) Except for rules and regulations revoked pursuant to subsection (d), as soon as possible after the filing of any rules and regulations by a state agency, the secretary of state shall submit to the joint committee on administrative rules and regulations such number of copies as may be requested by the joint committee on administrative rules and regulations.

(c) At any time prior to adjournment sine die of the regular session of the legislature, the legislature may adopt a concurrent resolution expressing the concern of the legislature with any permanent or temporary rule and regulation that is in force and effect and on file in the office of the secretary of state and any permanent rule and regulation filed in the office of the secretary of state during the preceding year and requesting the revocation of any such rule and regulation or the amendment of any such rule and regulation in the manner specified in such resolution.

(d) (1) Notwithstanding any other provision of the rules and regulations filing act, any rule and regulation may be revoked pursuant to this subsection if such rule and regulation is identified by a state agency in the report submitted to the joint committee on administrative rules and regulations pursuant to K.S.A. 2023 Supp. 77-440, and amendments thereto, as one that may be revoked pursuant to this subsection. A state agency may revoke a rule and regulation by filing a notice of such revocation with the secretary of state and causing such notice to be published in the Kansas register. Such notice of revocation shall not contain any new rules and regulations or any amendments to any rules and regulations.

(2) Prior to filing the notice of revocation with the secretary, the state agency shall:

(A) Upon the written request of a member of the public, hold a public hearing on the proposed notice of revocation;

(B) submit the notice of revocation to the attorney general for review and approval in accordance with K.S.A. 77-420(d), and amendments thereto; and

(C) submit the notice of revocation to the joint committee on administrative rules and regulations and, upon request by the chairperson of such committee, appear before such committee at a hearing on such notice.

(3) The revocation of a rule and regulation under this subsection shall be effective 15 days following the date that the notice of such revocation is published in the Kansas register.

History: L. 1965, ch. 506, § 12; L. 1974, ch. 421, § 3; L. 1975, ch. 484, § 4; L. 1975, ch. 485, § 4; L. 1975, ch. 486, § 4; L. 1976, ch. 415, § 6; L. 1976, ch. 416, § 1; L. 1977, ch. 321, § 12; L. 1979, ch. 305, § 1; L. 1979, ch. 304, § 5; L. 1982, ch. 386, § 7; L. 1985, ch. 307, § 4; L. 1988, ch. 366, § 39; L. 1995, ch. 93, § 3; L. 2022, ch. 61, § 7; April 28.