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MEMORANDUM

To: Senate Committee on Judiciary
From: Office of Revisor of Statutes
Date: March 2, 2022
Subject: Bill Brief for HCR 5014

House Concurrent Resolution 5014 would add a section to article 1 of the Constitution of the State of Kansas, relating to legislative oversight of administrative rules and regulations.

K.S.A. 77-436 currently requires the joint committee on administrative rules and regulations to review all proposed rules and regulations during the public comment period. After each meeting, the joint committee issues a report to the legislature with comments and concerns about the proposed rules and regulations it has reviewed. The committee may introduce legislation in response to proposed rules and regulations it reviews, but the committee cannot require changes to or reject any proposed rules and regulations.

HCR 5014 would add section 17 to article 1 of the Constitution of the State of Kansas to provide that when the legislature has authorized administrative regulatory authority, the legislature has authority to revoke or suspend any rules and regulation adopted under such authority, or any portion thereof, with a majority vote by both chambers. Such revocation or suspension would not require the governor's signature to go into effect.

As with all concurrent resolutions proposing amendments to the Constitution of the State of Kansas, the resolution must be adopted by a $\frac{2}{3}$ vote in each chamber in order to be presented to the general electorate for approval. If HCR 5014 were adopted by this constitutional majority in both chambers, it would then be submitted to the electors of the state at the general election in November 2022.