
Judiciary Committee

HB 2913

Title: An act relating to removal of obsolete rules from the Washington Administrative Code.

Brief Description: Requiring agreement by the affected agency before an obsolete rule may be removed from the Washington Administrative Code.

Sponsors: Representatives Chandler and Rodne.

Brief Summary of Bill
<ul style="list-style-type: none">Prohibits the Code Reviser from removing unconstitutional rules from the Washington Administrative Code unless the adopting agency agrees to the removal.

Hearing Date: 1/23/08

Staff: Jim Morishima (786-7191).

Background:

The Office of the Code Reviser is a legislative agency created in 1951. The agency has a variety of responsibilities including:

- Codifying, indexing, and publishing the Revised Code of Washington, including harmonizing the statutes through administrative changes or suggested legislation;
- Drafting bills on behalf of legislators, legislative committees, joint committees, state elected officials, and agencies;
- Acting as the repository for various documents relating to administrative rule-making; and
- Publishing the Washington State Register and the Washington Administrative Code.

With the consent of the Attorney General, the Code Reviser may remove obsolete administrative rules from the Washington Administrative Code when:

- The rules are declared unconstitutional by a court of final appeal; or
- The adopting agency ceases to exist and the rules are not transferred by statute to a successor agency.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

When a rule is declared unconstitutional by a court of final appeal, the Code Reviser may not remove the rule from the Washington Administrative Code unless the adopting agency agrees with the removal.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.