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**HOUSE BILL 1587**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representatives Shea, Taylor, McCaslin, Young, Griffey, Condotta, and Buys

AN ACT Relating to improving public information concerning agency rule-making activities; amending RCW 34.05.320; and adding a new section to chapter 1.08 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 1.08 RCW to read as follows:

The code reviser must, within existing resources, establish a statewide rule-making information web site by December 31, 2018. The web site must have a uniform resource locator (URL) internet address of www.rulemaking.wa.gov, or other similar address. The web site must include a searchable collection of all currently proposed agency rules indexed by topic, keyword, and agency name. For each proposed rule, the web site must contain the information required under RCW 34.05.320 and include:

(1) The time, date, and place of any scheduled public hearings on the proposed rule and the dates of public comment periods;

(2) An electronic link to the section of the Washington State Register containing the text of the proposed rule; and

(3) A link to a public comment form for the proposed rule which may be completed online and sent electronically to the rules coordinator for the agency proposing the rule or printed out and mailed to the agency. The comment form must provide for the option of, but not require, the person completing the form to include his or her email address and mailing address.

**Sec.**  RCW 34.05.320 and 2012 c 210 s 2 are each amended to read as follows:

(1) At least twenty days before the rule-making hearing at which the agency receives public comment regarding adoption of a rule, the agency shall cause notice of the hearing to be published in the state register. The publication constitutes the proposal of a rule. The notice shall include all of the following:

(a) A title, a description of the rule's purpose, and any other information which may be of assistance in identifying the rule or its purpose;

(b) Citations of the statutory authority for adopting the rule and the specific statute the rule is intended to implement;

(c) A short explanation of the rule, its purpose, and anticipated effects, including in the case of a proposal that would modify existing rules, a short description of the changes the proposal would make, and a statement of the reasons supporting the proposed action;

(d) The agency personnel, with their office location and telephone number, who are responsible for the drafting, implementation, and enforcement of the rule;

(e) The name of the person or organization, whether private, public, or governmental, proposing the rule;

(f) Agency comments or recommendations, if any, regarding statutory language, implementation, enforcement, and fiscal matters pertaining to the rule;

(g) Whether the rule is necessary as the result of federal law or federal or state court action, and if so, a citation to such law or court decision;

(h) When, where, and how persons may present their views on the proposed rule;

(i) The date on which the agency intends to adopt the rule;

(j) A copy of the small business economic impact statement prepared under chapter 19.85 RCW, or a copy of the school district fiscal impact statement under RCW 28A.305.135 in the case of the state board of education, or an explanation for why the agency did not prepare the statement;

(k) A statement indicating whether RCW 34.05.328 applies to the rule adoption; and

(l) If RCW 34.05.328 does apply, a statement indicating that a copy of the preliminary cost-benefit analysis described in RCW 34.05.328(1)(c) is available.

(2)(a) Upon filing notice of the proposed rule with the code reviser, the adopting agency shall have copies of the notice on file and available for public inspection. Except as provided in (b) of this subsection, the agency shall forward three copies of the notice to the rules review committee.

(b) A pilot of at least ten agencies, including the departments of labor and industries, fish and wildlife, revenue, ecology, retirement systems, and health, shall file the copies required under this subsection, as well as under RCW 34.05.350 and 34.05.353, with the rules review committee electronically for a period of four years from June 10, 2004. The office of regulatory assistance shall negotiate the details of the pilot among the agencies, the legislature, and the code reviser.

(3) No later than three days after its publication in the state register, the agency shall cause either a copy of the notice of proposed rule adoption, or a summary of the information contained on the notice, to be mailed to each person, city, and county that has made a request to the agency for a mailed copy of such notices. An agency may charge for the actual cost of providing a requesting party mailed copies of these notices.

(4) In addition to the notice required by subsections (1) and (2) of this section, an institution of higher education shall cause the notice to be published in the campus or standard newspaper of the institution at least seven days before the rule-making hearing.

(5) Upon receipt of a public comment received through the state rule-making web site established under section 1 of this act, an agency must respond by email or letter to the person making the comment if he or she provided an email or mailing address. The agency response must:

(a) Be made using existing agency resources;

(b) Acknowledge receipt of the comment; and

(c) Provide the date, time, and place of the next scheduled public hearing on the proposed rule, if such a hearing is scheduled.

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