
SENATE BILL 5054

State of Washington

58th Legislature

2003 Regular Session

By Senators Hale, Rasmussen, Kastama, Winsley, Schmidt, Honeyford, T. Sheldon, Hewitt, Johnson, Esser, Sheahan and Oke

Read first time 01/13/2003. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to providing businesses with notice of
2 administrative rules; adding a new section to chapter 34.05 RCW; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that many businesses
6 in the state are frustrated by the complexity of the regulatory system.
7 The Washington Administrative Code containing agency rules now fills
8 twelve volumes, and appears to be growing each year. While the vast
9 majority of businesses make a good faith attempt to comply with
10 applicable laws and rules, many find it extremely difficult to keep up
11 with agencies' issuance of new rules and requirements. Therefore,
12 state agencies are directed to make a good faith attempt to notify
13 businesses affected by rule changes that may subject noncomplying
14 businesses to penalties.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 34.05 RCW
16 to read as follows:

17 Within two hundred days of the effective date of a rule that
18 imposes additional requirements on businesses the violation of which

1 subjects the business to a penalty, assessment, or administrative
2 sanction, an agency shall make a good faith effort to notify businesses
3 affected by the rule of the requirements of the rule and how to obtain
4 technical assistance to comply. For purposes of this section, "good
5 faith" means: (1) The agency at least notifies businesses in the
6 standard industrial classifications or their successor identified in
7 the rule-making file as businesses affected by the rule that are
8 registered with the department of revenue; or (2) for rules imposing
9 additional requirements only on persons or firms licensed, registered,
10 or operating under a permit, the agency notifies those persons or firms
11 holding the license, registration, or permit. The notification shall
12 announce the rule change, briefly summarize the rule change, and
13 include a contact for more information. Notification may be by
14 individual notice, agency bulletins or newsletters, or any other means
15 that will reasonably inform affected businesses. Failure to notify a
16 specific business under this section does not invalidate a rule or
17 waive the requirement to comply with the rule. The requirements of
18 this section do not apply to emergency rules adopted under RCW
19 34.05.350.

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