

2378

Sponsor(s): Representatives Armstrong, Anderson, Schoesler, Nixon and Woods

Brief Description: Limiting the rule-making authority of certain entities to those instances where there is a specific grant of legislative authority.

**HB 2378 - DIGEST**

Finds that the people of this state do not yield their sovereignty to the agencies that serve them, that one of the most fundamental principles of a free people is that citizens are presumed innocent of wrongdoing until proven guilty, and that due process requires that government bear the burden of establishing a person's guilt, not that the citizen bears the burden of proving his or her innocence.

Finds that citizens generally lack the resources that state agencies have at their disposal to defend administrative rules that may have been adopted unlawfully and are therefore invalid because of agency noncompliance with proper administrative procedures, that may violate constitutional provisions, that may exceed the agency's statutory authority, or that may be arbitrary and capricious.

Finds that in order to enhance the faith, credibility, and trust of the people in government, it is necessary and proper to place the burden upon state agencies, not individual citizens, to demonstrate that the administrative rules they adopt are lawful and valid.