

# PROPOSED AMENDMENT

## HB 1623 # 14

### DIGEST

Federal regulation and law. Provides that the chapter governing the expiration and readoption of administrative rules does not apply to certain rules that incorporate a federal regulation by reference or adopt a federal regulation under a federal mandate.

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- 1 Page 42, line 25, delete "4-22-2.6-4." and insert "**4-22-2.6-6.**".
- 2 Page 46, between lines 19 and 20, begin a new paragraph and insert:
- 3 **"Sec. 1. This chapter does not apply to a rule that incorporates**
- 4 **a federal regulation by reference or adopts a federal regulation,**
- 5 **under a federal mandate, in its entirety without substantive**
- 6 **additions.**
- 7 **Sec. 2. (a) This section applies to a rule that is required:**
- 8 **(1) to receive or maintain:**
- 9 **(A) delegation;**
- 10 **(B) primacy; or**
- 11 **(C) approval;**
- 12 **for state implementation or operation of a program**
- 13 **established under federal law;**
- 14 **(2) to begin or continue receiving federal funding for the**
- 15 **implementation or operation of a program.**
- 16 **(b) A rule described under subsection (a) does not expire under**
- 17 **this chapter. However, an agency shall readopt a rule described in**
- 18 **this section before January 1 of the seventh year after the year in**
- 19 **which the rule takes effect as set forth in this chapter."**
- 20 Page 46, line 20, delete "1." and insert "**3.**".
- 21 Page 46, line 20, delete "10" and insert "**12**".
- 22 Page 47, line 13, delete "2." and insert "**4.**".
- 23 Page 47, line 14, delete "1" and insert "**3**".
- 24 Page 47, line 17, delete "3 through 9" and insert "**5 through 11**".
- 25 Page 47, line 21, delete "3." and insert "**5.**".
- 26 Page 47, line 30, delete "1(b)(1)" and insert "**3(b)(1)**".

- 1 Page 47, line 31, delete "4." and insert "6".
  - 2 Page 48, line 31, delete "5." and insert "7".
  - 3 Page 49, line 8, delete "4" and insert "6".
  - 4 Page 49, line 23, delete "6." and insert "8".
  - 5 Page 49, line 28, delete "5" and insert "7".
  - 6 Page 49, line 31, delete "5" and insert "7".
  - 7 Page 50, line 2, delete "5" and insert "7".
  - 8 Page 50, line 3, delete "7." and insert "9".
  - 9 Page 50, line 15, delete "8." and insert "10".
  - 10 Page 50, line 16, delete "7" and insert "9".
  - 11 Page 50, line 19, delete "7" and insert "9".
  - 12 Page 50, line 25, delete "9." and insert "11".
  - 13 Page 50, line 29, delete "10." and insert "12".
  - 14 Page 50, line 34, delete "1" and insert "3".
  - 15 Page 50, line 35, delete "11." and insert "13".
- (Reference is to HB 1623 as printed February 14, 2023.)