

18102006D

**HOUSE BILL NO. 549**

Offered January 10, 2018

Prefiled January 8, 2018

A *BILL to amend the Code of Virginia by adding a section numbered 30-19.03:1.3, relating to state agency regulations; legislation requiring a state agency to adopt regulations that are likely to have a significant adverse economic impact.*

Patron—Freitas

Referred to Committee on Rules

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding a section numbered 30-19.03:1.3 as follows:**

**§ 30-19.03:1.3. Bills requiring a state agency to adopt regulations that are likely to have a significant adverse economic impact.**

*A. For the purposes of this section:*

*"Regulation" means any statement of general application, having the force of law and affecting the rights or conduct of any person, adopted by an agency in accordance with the authority conferred on it by the Constitution and applicable statutes of the Commonwealth.*

*"Regulatory requirement" means any action required to be taken or information required to be provided in accordance with a statute or regulation in order to access government sources or operate and conduct business.*

*"Significant adverse economic impact" means that the estimated cost to citizens, professions, trades, or occupations to comply with a regulation is in excess of \$500.*

*"State agency" means any agency, institution, board, bureau, commission, council, or instrumentality of state government in the executive branch.*

*B. No bill that directly or indirectly requires a state agency to adopt new or amend existing regulations that are likely to have a significant adverse economic impact shall be considered by the General Assembly unless the bill contains a second or final enactment clause (i) directing the state agency to develop proposed regulatory requirements by December 1 of the year in which the bill is introduced and (ii) providing that the first enactment of the bill that would directly or indirectly require the state agency to adopt new or amend existing regulations shall not become effective unless reenacted by the following year's session of the General Assembly. The General Assembly shall thereafter reconsider the bill during the following year's session of the General Assembly along with and in light of the proposed regulatory requirements developed and put forth by the state agency.*

*The determination of whether regulations are likely to have a significant adverse economic impact shall be made by the Joint Legislative Audit and Review Commission (JLARC). The Division of Legislative Services (the Division) shall examine all bills filed during any legislative session for the purpose of identifying and forwarding to JLARC those bills requiring such a determination.*

*As soon thereafter as may be practicable, JLARC shall forward copies of such determination to the Clerk of the House of Delegates for transmittal to each patron of the legislation and to the chairman of each committee of the General Assembly.*

*All departments, agencies of government, and the Division are directed to make available such information and assistance as JLARC may request in making the determination required by this section.*