

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 22

By: Dahm

AS INTRODUCED

An Act relating to agency operations; providing procedures for federal rule and regulation review for state agencies; authorizing the Legislature to disapprove implementation of certain rules and regulations; prohibiting certain conduct upon certain disapproval; stating when certain rules and regulations are operative; providing for certain exemption from liability; clarifying application to certain rights, privileges, or interests gained by certain persons; providing for codification; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 308b of Title 75, unless there is created a duplication in numbering, reads as follows:

A. Upon receipt by a state agency of a requirement for an agency to adopt, follow, or otherwise submit to any new federal rule or regulation or change to an existing federal rule or regulation, or interpretation of any rule or regulation, that agency shall send the federal rule or regulation by electronic mail to all members of the Legislature and the Governor.

1 B. By the adoption of a joint resolution, the Legislature may
2 disapprove the implementation of any federal rule or regulation
3 imposed on a state agency.

4 C. Unless otherwise authorized by the Legislature, whenever a
5 rule or regulation is disapproved as provided in subsection B of
6 this section, the agency subject to such rules or regulations shall
7 not have authority to follow, interpret, or abide by any
8 requirements of the rule or regulation as specified by the
9 Legislature. Any effective rule or regulation which would have been
10 imposed on an agency when the Legislature was not in session shall
11 be deemed null and void on the date the Legislature disapproves the
12 rule or regulation by a resolution as provided for in subsection B
13 of this section. Federal rules and regulations imposed on state
14 agencies may be disapproved in part or in whole by the Legislature.
15 Upon enactment of any joint resolution disapproving a rule or
16 regulation, the agency shall file notice of such legislative
17 disapproval with the Attorney General.

18 D. A federal rule or regulation shall be deemed authorized for
19 state agency compliance, if disapproved by a joint resolution
20 pursuant to subsection B of this section which has been vetoed by
21 the Governor in accordance with Section 11 of Article VI of the
22 Oklahoma Constitution and the veto has not been overridden.

1 E. State agencies and their employees complying with the
2 provisions of this section shall be exempt from liability pursuant
3 to Section 155 of Title 51 of the Oklahoma Statutes.

4 F. Any rights, privileges, or interests gained by any person by
5 operation of a federal rule or regulation applied prior to the
6 adoption of a joint resolution pursuant to this section, shall not
7 be affected by reason of any subsequent disapproval or rejection of
8 such rule or regulation by either house of the Legislature.

9 SECTION 2. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this resolution shall take
12 effect and be in full force from and after its passage and approval.

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