

House Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

CHAPTER 171

HOUSE BILL 2401

AN ACT

AMENDING TITLE 41, CHAPTER 6, ARTICLE 4.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1046; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3017.13; RELATING TO THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 6, article 4.1, Arizona Revised Statutes,
3 is amended by adding section 41-1046, to read:

4 41-1046. Administrative rules oversight committee; membership;
5 appointment; staffing; meetings

6 A. THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE IS ESTABLISHED. THE
7 COMMITTEE HAS OVERSIGHT OVER ANY RULES EXCEPT THOSE RULES EXEMPTED BY SECTION
8 41-1005.

9 B. THE COMMITTEE CONSISTS OF THE FOLLOWING ELEVEN MEMBERS:

10 1. FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES WHO ARE APPOINTED BY
11 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES. NO MORE THAN THREE OF THE
12 MEMBERS WHO ARE APPOINTED UNDER THIS PARAGRAPH MAY BE MEMBERS OF THE SAME
13 POLITICAL PARTY. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL DESIGNATE
14 A MEMBER TO SERVE AS COCHAIRPERSON OF THE COMMITTEE.

15 2. FIVE MEMBERS OF THE SENATE WHO ARE APPOINTED BY THE PRESIDENT OF
16 THE SENATE. NO MORE THAN THREE OF THE MEMBERS WHO ARE APPOINTED UNDER THIS
17 PARAGRAPH MAY BE MEMBERS OF THE SAME POLITICAL PARTY. THE PRESIDENT OF THE
18 SENATE SHALL DESIGNATE A MEMBER TO SERVE AS COCHAIRPERSON OF THE COMMITTEE.

19 3. THE GOVERNOR OR THE GOVERNOR'S DESIGNEE WHO IS NOT AN APPOINTED
20 AGENCY DIRECTOR.

21 C. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF
22 THE SENATE SHALL MAKE THE APPOINTMENTS TO THE COMMITTEE ON OR BEFORE OCTOBER
23 1, 2009. MEMBERS SERVE AT THE PLEASURE OF THEIR RESPECTIVE APPOINTING
24 OFFICER.

25 D. THE LEGISLATIVE COUNCIL SHALL STAFF THE COMMITTEE.

26 E. THE COMMITTEE SHALL MEET ON THE CALL OF EITHER OF ITS
27 COCHAIRPERSONS.

28 F. A PARTY CONTESTING THE LEGALITY OF A RULE, AGENCY PRACTICE OR
29 SUBSTANTIVE POLICY STATEMENT IS NOT REQUIRED TO FILE A COMPLAINT WITH THE
30 COMMITTEE TO EXHAUST ITS ADMINISTRATIVE REMEDIES.

31 Sec. 2. Title 41, chapter 27, article 2, Arizona Revised Statutes, is
32 amended by adding section 41-3017.13, to read:

33 41-3017.13. Administrative rules oversight committee;
34 termination July 1, 2017

35 A. THE ADMINISTRATIVE RULES OVERSIGHT COMMITTEE TERMINATES ON JULY 1,
36 2017.

37 B. TITLE 41, CHAPTER 6, ARTICLE 4.1 IS REPEALED ON JANUARY 1, 2018.

38 Sec. 3. Purpose

39 Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,
40 the purpose of the administrative rules oversight committee is to review any
41 proposed or final rule, summary rule, agency practice alleged to constitute a
42 rule or substantive policy statement for conformity with statute and
43 legislative intent.

APPROVED BY THE GOVERNOR JULY 13, 2009.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 13, 2009.

Passed the House March 11, 20 09

by the following vote: 39 Ayes,

16 Nays, 5 Not Voting

Keith
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate July 1, 20 09

by the following vote: 159 Ayes,

11 Nays, 2 Not Voting

Robert S. Burnett
President of the Senate

Charmain Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

15th day of July, 20 09

at 8:25 o'clock A. M.

Susan K. Myers
Secretary to the Governor

Approved this 13th day of

July 2009

at 5:56 o'clock P M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 13th day of July, 20 09

at 7:35 o'clock P M.

Ken Blumeth
Secretary of State