

## SENATE BILL No. 34

By Committee on Federal and State Affairs

1-14

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1 AN ACT concerning administrative rules and regulations; relating to  
2 automatic sunset, exceptions thereto; renewal by legislature;  
3 certification by revisor of statutes; requirements for adoption of rules  
4 and regulations.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) All rules and regulations adopted by state agencies  
8 under provisions of K.S.A. 77-415 et seq., and amendments thereto, in  
9 existence on July 1, 2021, shall expire five years from that date, and any  
10 new rule or regulation or substantial amendment of an existing rule or  
11 regulation shall expire on July 1 of the fifth year after such enactment,  
12 unless the legislature adopts legislation to renew such rule or regulation.

13 (b) For purposes of this section, a rule or regulation is substantially  
14 amended if the amendment expands or narrows the scope of the rule or  
15 regulation.

16 (c) By July 15, in the year before the expiration of a rule or  
17 regulation, the revisor of statutes shall certify the language and the Kansas  
18 administrative regulations citation of each rule and regulation that will  
19 expire in the following year to the president of the senate and the speaker  
20 of the house of representatives. Any rule and regulation that is not  
21 identified and certified to the president of the senate and the speaker of the  
22 house of representatives is not subject to legislative review and shall not  
23 expire. If the revisor of statutes fails to certify a rule and regulation that the  
24 revisor subsequently determines should have been certified, the revisor  
25 shall include the rule and regulation in the following year's certification,  
26 after that determination.

27 (d) A rule and regulation may be adopted or maintained by a state  
28 agency only if it serves an identifiable public purpose and may be no  
29 broader than is necessary to meet the public purpose.

30 (e) This section shall be a part of and supplemental to the rules and  
31 regulations filing act, K.S.A. 77-415 et seq., and amendments thereto.

32 Sec. 2. This act shall take effect and be in force from and after its  
33 publication in the statute book.