

## **Implementation of 2022 HB 2087 and the Amended Rules and Regulations Process**

There are a number of changes to the rules and regulations process necessary for the implementation of 2022 HB 2087, effective April 28, 2022. The most significant changes involve the approval order and the role of the Director of the Budget.

### **BRIEF OVERVIEW OF THE REVISED PROCESS FOR ADOPTING PERMANENT REGULATIONS**

The revised consecutive steps involved in adopting any permanent new or amended Kansas Administrative Regulation (K.A.R.), and most revoked K.A.R.s\*, are as follows:

- (a) Fill out the revised Economic Impact Statement (EIS) form found on the [Kansas Division of the Budget website](#);
- (b) obtain approval of the proposed regulation(s) from the Secretary of Administration;
- (c) obtain approval of the proposed regulation(s) from the Attorney General;
- (d) see the first questions on the revised EIS:
  - (1) if Budget approval is required, obtain approval of the proposed regulation(s) and the EIS;
  - (2) if Budget approval is NOT required, submit a copy of the EIS to Budget;
- (e) submit the notice of hearing, a copy of the stamped regulation(s), a copy of the economic impact statement (approved if required), and a copy of the environmental benefit statement (if applicable) to the Secretary of State;
- (f) submit a copy of the notice of public hearing to the Chairperson, Vice-Chairperson, and Ranking Minority Member of the Joint Committee on Administrative Rules and Regulations and to the Kansas Legislative Research Department;
- (g) review the proposed regulation(s) with the Joint Committee on Administrative Rules and Regulations;
- (h) hold the public hearing;
- (i) if applicable, “initiate new rulemaking proceedings” pursuant to K.S.A. 77-421(c);
- (j) as needed, revise the regulation(s) and the economic impact statement (including the addition of the time, place, and number of attendees of the public hearing), and again obtain approval of the Secretary of Administration, the Attorney General, and, if required, the Director of the Budget;
- (k) adopt the regulation(s); and
- (l) file the regulation(s) and associated documents with the Secretary of State.

\*See 2022 HB 2087, Sec. 7 for the new notice of revocation process. More details to come at a later date.