

1 H.10

2 Introduced by Representative Jewett of Ripton

3 Referred to Committee on

4 Date:

5 Subject: Executive branch; administrative procedure; rules; Internet

6 Statement of purpose: This bill proposes to require all state agencies to publish
7 proposed rules, final proposed rules, and adopted rules on their Internet
8 websites and to require the secretary of state to publish all adopted rules of
9 state agencies on the Internet in a comprehensive and searchable database.

10 AN ACT RELATING TO INTERNET PUBLICATION OF STATE
11 AGENCY RULES

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 3 V.S.A. § 838 is amended to read:

14 § 838. FILING OF PROPOSED RULES

15 (a) Proposed rules shall be filed with the secretary of state and published on
16 the agency's Internet website. The filing shall include the following:

17 * * *

18 (b) The cover sheet shall be on a form prepared by the secretary of state
19 containing at least the following information:

20 * * *

1 of state and the legislative committee on administrative rules shall immediately
2 thereafter be published on the agency's Internet website, and a link to that
3 address shall be provided to the secretary of state and the Vermont Bar
4 Association. The adopted rule which is filed with the secretary of state shall be
5 the official adopted rule. In the event that there is a discrepancy between the
6 adopted rule published on an agency's Internet website and the adopted rule
7 filed with the secretary of state's office, the adopted rule filed with the
8 secretary of state's office shall be the adopted rule.

9 (d) Adopted rules filed shall include:

10 (1) A cover sheet on a form prepared by the secretary of state containing
11 at least the following information:

12 (A) the name of the agency;

13 (B) the title or subject of the rule;

14 (C) a brief summary of any changes made since the filing of the final
15 proposed rule, including any changes in expected economic impact;

16 (D) a summary of the dates on which the agency complied with the
17 procedural requirements of this chapter; ~~and~~

18 (E) a signed and dated statement by the adopting authority that the
19 procedural requirements of this chapter have been met and that the adopting
20 authority approves of the contents of the filing; and

1 unenforceable, and if the validity of the rule is challenged in a court of
2 competent jurisdiction, the court shall hold the rule invalid.

3 Sec. 6. EFFECTIVE DATE

4 This act shall take effect upon passage and shall apply to all adopted rules,
5 to all proposed rules, and to all final proposed rules which are filed after the
6 effective date of this act.