

## **BILL ANALYSIS**

H.B. 3575  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There are concerns that some state agencies may adopt rules that go beyond the intended scope of the rulemaking authority conferred in legislation. H.B. 3575 seeks to remedy this issue by requiring state agencies to provide notification regarding proposed rulemaking to certain legislative members, including the author of the granting legislation.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 3575 amends the Government Code to require the notice of a proposed rule filed with the secretary of state to include the bill number for the legislation that enacted the statutory or other authority under which the rule is proposed to be adopted.

H.B. 3575 requires a state agency, not later than the third day after the day on which the agency files notice of a proposed rule with the secretary of state, to provide notice to each primary author and sponsor of the legislation that enacted the authority under which the proposed rule is to be adopted, as well as to any standing committee that considered the legislation before its enactment. The bill provides for electronic notice to applicable legislative members and bodies. Failure to provide such notice does not invalidate a rule adopted by a state agency or an action taken by the agency under that rule.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.