

JAN 26 2011

A BILL FOR AN ACT

RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature is concerned that rules adopted
2 by state agencies are often not amended or repealed to reflect
3 recent changes to the statutes being implemented by the rules.
4 This leads to inconsistencies and confusion. The legislature is
5 particularly concerned that the failure to keep the rules up-to-
6 date may cause state agencies, if only inadvertently, to follow
7 and administer rules that no longer have any statutory basis.
8 This situation is detrimental to business generally, and small
9 business in particular.

10 The purpose of this Act is to ensure that administrative
11 rules are reviewed and updated to remain current with related
12 statutory provisions.

13 SECTION 2. Chapter 201M, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§201M- Annual review of rules affected by statutory
17 changes. (a) The small business regulatory review board shall
18 work with state agencies to identify rules that need to be



1 amended or repealed to conform to the repeal or amendment of the
2 underlying statutes implemented by those rules, and to ensure
3 that statutory references in rules are current.

4 (b) The governor is directed to work with the board and
5 other state agencies to develop internal processes such as
6 modifications to existing directives, to expedite rulemaking
7 actions that consist solely of amendments to and repeal of rules
8 to conform to the repeal or amendment of statutes.

9 (c) The board shall report to the legislature no later
10 than twenty days prior to the convening of the regular sessions
11 of 2012 and 2013, and thereafter as needed, on the
12 implementation of the requirements of this section, and
13 recommendations, if necessary, on proposed legislation."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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[Signature]



Report Title:

Administrative Rules; Small Business Regulatory Review Board

Description:

Requires the Small Business Regulatory Review Board to identify rules that shall be amended or repealed to conform to the repeal or amendment of related statutes. Directs the board to work with state agencies to develop a procedure for expediting the amendment or repeal of rules when the changes are required only to comply with the repeal or amendment of statutes.

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