

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 318

6 By: Bergstrom

7 COMMITTEE SUBSTITUTE

8 An Act relating to administrative rule processes;
9 creating the Regulations from the Executive in Need
10 of Scrutiny (REINS) Act of 2025; providing short
11 title; defining terms; imposing duties on agencies
12 with respect to rules; prescribing procedures;
13 requiring economic analysis; requiring consultation
14 with political subdivisions; requiring solicitation
15 of information from certain entities; establishing
16 the Legislative Economic Analysis Unit within the
17 Legislative Office of Fiscal Transparency; imposing
18 duties with respect to analysis of rules; prescribing
19 limit on full-time-equivalent employees; requiring
20 independent analysis; requiring reports; requiring
21 cooperation by state agencies; providing for
22 evaluation of rules at request of certain officials;
23 requiring public availability of information;
24 requiring annual report; requiring quantification of
certain results; prohibiting certain rule from taking
effect without specific approval pursuant to
legislative measure; amending 75 O.S. 2021, Section
303.1, as amended by Section 3, Chapter 38, O.S.L.
2023 (75 O.S. Supp. 2024, Section 303.1), which
relates to adoption of permanent rules; updating
statutory language; requiring delivery of physical
copies of proposed rules to certain persons;
providing for noncodification; providing for
codification; and providing an effective date.

24 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. NEW LAW A new section of law not to be
2 codified in the Oklahoma Statutes reads as follows:

3 This act shall be known and may be cited as the "Regulations
4 from the Executive in Need of Scrutiny (REINS) Act of 2025".

5 SECTION 2. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 601 of Title 75, unless there is
7 created a duplication in numbering, reads as follows:

8 As used in this act:

9 1. "Agency" means any officer, department, bureau, division,
10 board, commission, authority, agency, or institution of this state,
11 except the judicial and legislative branches, authorized by law to
12 promulgate rules and regulations concerning the administration,
13 enforcement, or interpretation of any law of this state;

14 2. "Implementation and compliance costs" means direct costs
15 that are readily ascertainable based upon standard business
16 practices, including, but not limited to, fees, the cost to obtain a
17 license or registration, the cost of equipment required to be
18 installed or used, additional operating costs incurred, the cost of
19 monitoring and reporting, and any other costs to comply with the
20 requirements of the proposed rule or regulation; and

21 3. "Major rule" means any administrative rule, whether
22 emergency or permanent in nature, that over the initial five-year
23 period will result in or is likely to result in One Million Dollars
24 (\$1,000,000.00) or more in implementation and compliance costs that

1 are reasonably expected to be incurred by or passed along to
2 businesses, local government units, and individuals as a result of
3 the proposed rule or regulation following the adoption of such rule.
4 Any rule that does not meet this classification shall be deemed a
5 nonmajor rule.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 602 of Title 75, unless there is
8 created a duplication in numbering, reads as follows:

9 A. In addition to any other rule submission requirements under
10 the Administrative Procedures Act, each state agency promulgating a
11 major rule shall provide:

12 1. Whether the proposed rule or regulation is mandated by
13 federal law as a requirement for participating in or implementing a
14 federally subsidized or assisted program and whether the proposed
15 rule or regulation exceeds the requirements of the applicable
16 federal law; and

17 2. An economic impact analysis specifically addressing the
18 following factors:

19 a. the rule's economic impact, including any costs or
20 benefits and a detailed quantification of
21 implementation and compliance costs to be incurred by
22 specific businesses, business sectors, public utility
23 ratepayers, individuals, or local government units

24

1 that will be affected by the proposed rule or
2 regulation and on the state economy as a whole,

3 b. a detailed explanation of the methodology and
4 assumptions used to determine the economic impact,
5 including the dollar amounts calculated,

6 c. an estimate of the total annual implementation and
7 compliance costs that are reasonably expected to be
8 incurred by or passed along to businesses, local
9 government units, or individuals and a determination
10 of whether those costs will exceed One Million Dollars
11 (\$1,000,000.00) over the initial five-year period
12 following the adoption of the proposed rule or
13 regulation,

14 d. a statement of the need for the rule and the legal
15 basis supporting it,

16 e. any measures taken by the agency to minimize the cost
17 and impact of the proposed rule or regulation on
18 business and economic development within this state,
19 on local government, and on individuals, and

20 f. a classification of the rule as major or nonmajor,
21 with a justification for the classification.

22 B. No agency shall submit a major rule or regulation to the
23 Secretary of State for filing without completing an economic impact
24 analysis for the proposed rule or regulation and providing the

1 analysis to the Legislative Economic Analysis Unit created pursuant
2 to Section 4 of this act.

3 C. The agency shall consult with counties, municipalities, and
4 school boards, as appropriate, when preparing the economic impact
5 analysis of a proposed rule or regulation that increases or
6 decreases revenue of counties, cities, or school districts or
7 imposes functions or responsibilities on counties, cities, or school
8 districts that may increase their expenditures or fiscal liability.
9 The agency shall consult and solicit information from businesses,
10 business associations, political subdivisions, state agencies, or
11 members of the public that may be affected by the proposed rule or
12 regulation or that may provide relevant information.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 603 of Title 75, unless there is
15 created a duplication in numbering, reads as follows:

16 A. A Legislative Economic Analysis Unit (LEAU) shall be created
17 within the Legislative Office of Fiscal Transparency (LOFT) to
18 provide independent and reliable economic analysis and other
19 information relevant to the conduct of the Legislature's oversight
20 and legislative duties. The LEAU shall assist the Administrative
21 Rules Committee of each chamber in evaluating major rules proposed
22 by state agencies.

23 B. LOFT shall establish the LEAU within ninety (90) days of the
24 effective date of this act and may employ no more than five full-

1 time-equivalent employees (FTEs) to serve the LEAU and carry out the
2 functions of this section.

3 C. Within twenty-one (21) calendar days of receiving any
4 proposed rule or regulation, the LEAU shall conduct an independent
5 analysis to determine that the agency has complied with the
6 requirements set forth in Section 3 of this act. The LEAU will
7 assess whether the proposed rule or regulation will result in
8 implementation and compliance costs of more than One Million Dollars
9 (\$1,000,000.00) over the initial five-year period after
10 implementation.

11 D. The LEAU shall:

12 1. Provide a report on each major rule or regulation to the
13 committees of jurisdiction by the end of the twenty-first calendar
14 day after the submission date of such major rule or regulation;

15 2. Inform the committee if the economic impact analysis from
16 the agency is incomplete or contains substantive inaccuracies; and

17 3. Report to the Administrative Rules Committee of each
18 chamber.

19 E. State agencies shall cooperate fully with the LEAU and the
20 Legislature in providing data or documentation necessary for
21 analysis, and conducting the analyses required under this act.

22 F. The President Pro Tempore of the Senate, Speaker of the
23 House of Representatives, and committee chair of the Administrative
24 Rules Committee of each chamber may also direct the LEAU to conduct

1 evaluations of existing provisions of the Oklahoma Administrative
2 Code.

3 G. The LEAU shall:

4 1. Make all analyses and determinations publicly available on
5 its website upon completion; and

6 2. Submit an annual report summarizing the year's evaluations
7 and findings shall be electronically submitted to the President Pro
8 Tempore of the Senate and the Speaker of the House of
9 Representatives and published on LOFT's website. Within the annual
10 report, the LEAU shall quantify the impact of its work, including
11 reductions in regulations, cost savings, and other measurable
12 benefits to the economy.

13 SECTION 5. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 604 of Title 75, unless there is
15 created a duplication in numbering, reads as follows:

16 A major rule shall not take effect unless specifically approved
17 by the Legislature through a joint resolution receiving a
18 constitutional majority in each chamber.

19 SECTION 6. AMENDATORY 75 O.S. 2021, Section 303.1, as
20 amended by Section 3, Chapter 38, O.S.L. 2023 (75 O.S. Supp. 2024,
21 Section 303.1), is amended to read as follows:

22 Section 303.1. A. Within ten (10) days after adoption of a
23 permanent rule, the agency shall file two copies of the following
24 with the Governor, the Speaker of the House of Representatives, the

1 President Pro Tempore of the Senate, and the ~~chief legislative~~
2 ~~officer~~ chair of the Administrative Rules Committee of each chamber:
3 all such new rules or amendments; revisions or revocations to an
4 existing rule proposed by an agency; and the agency rule report as
5 required by subsection E of this section.

6 B. If the agency determines in the rule impact statement
7 prepared as part of the agency rule report that ~~the~~ any proposed
8 rule will have an economic impact on any political subdivisions or
9 require their cooperation in implementing or enforcing a proposed
10 permanent rule, a copy of the proposed rule and rule report shall be
11 filed within ten (10) days after adoption of the permanent rule with
12 the Oklahoma Advisory Committee on Intergovernmental Relations for
13 its review. The Committee may communicate any recommendations that
14 it may deem necessary to the Governor, the Speaker of the House of
15 Representatives, and President Pro Tempore of the Senate during the
16 period that the permanent rules are being reviewed.

17 C. When ~~the rules have been~~ any rule is submitted to the
18 Governor, the Speaker of the House of Representatives, the President
19 Pro Tempore of the Senate, and the ~~chief legislative officer~~ chair
20 of the Administrative Rules Committee of each chamber, the agency
21 shall also submit to the Office of Administrative Rules for
22 publication in "The Oklahoma Register", a statement that the adopted
23 ~~rules have~~ rule has been submitted to the Governor and the
24 Legislature.

1 D. The text of the adopted ~~rules~~ rule shall be submitted to the
2 Governor, ~~the Speaker of the House of Representatives,~~ and the
3 ~~President Pro Tempore of the Senate~~ in the same format as required
4 by the Secretary pursuant to Section 251 of this title. The text of
5 the adopted rule shall be submitted to the President Pro Tempore of
6 the Senate, the Speaker of the House of Representatives, and the
7 chair of the Administrative Rules Committee of each chamber in
8 physical, spiral-bound copies.

9 E. The report required by subsection A of this section shall
10 include:

11 1. The date the notice of the intended rulemaking action was
12 published in "The Oklahoma Register" pursuant to Section 255 of this
13 title;

14 2. The name and address of the agency;

15 3. The title and number of the rule;

16 4. A citation to the constitutional or statutory authority for
17 the rule;

18 5. The citation to any federal or state law, court ruling, or
19 any other authority requiring the rule;

20 6. A statement of the gist of the rule or a brief summary of
21 the content of the adopted rule;

22 7. A statement explaining the need for the adopted rule;

23 8. The date and location of the meeting, if held, at which such
24 ~~rules were~~ rule was adopted, or the date and location when the ~~rules~~

1 ~~were~~ rule was adopted if the rulemaking agency is not required to
2 hold a meeting to adopt rules;

3 9. A summary of the comments and explanation of changes or lack
4 of any change made in ~~the~~ an adopted ~~rules~~ rule as a result of
5 testimony received at all hearings or meetings held or sponsored by
6 an agency for the purpose of providing the public an opportunity to
7 comment on ~~the rules~~ any proposed rule or of any written comments
8 received prior to the adoption of the rule. The summary shall
9 include all comments received about the cost impact of ~~the~~ any
10 proposed ~~rules~~ rule;

11 10. A list of persons or organizations who appeared or
12 registered for or against the adopted rule at any public hearing
13 held by the agency or those who have commented in writing before or
14 after the hearing;

15 11. A rule impact statement if required pursuant to Section 303
16 of this title;

17 12. An incorporation by reference statement if the rule
18 incorporates a set of rules from a body outside the state, such as a
19 national code;

20 13. The members of the governing board of the agency adopting
21 the ~~rules~~ rule and the recorded vote of each member;

22 14. The proposed effective date of the ~~rules~~ rule, if an
23 effective date is required pursuant to paragraph 1 of subsection B
24 of Section 304 of this title; and

1 15. Any other information requested by the Governor, the
2 Speaker of the House of Representatives, or the President Pro
3 Tempore of the Senate.

4 SECTION 7. This act shall become effective November 1, 2025.

5
6 60-1-1646 RD 2/11/2025 4:41:06 PM

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24