

Amendment to HB 358

1 Amend the bill by replacing RSA 541-A:15, I as inserted by section 7 of the bill with the following:

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3 I. The director of legislative services shall compile, index, and publish~~[, or require agencies~~  
4 ~~to publish,]~~ all effective rules adopted by each agency. The text of an adopted rule as filed with the  
5 director and which is effective shall **then** be the official version of the rule~~[,]~~. **The director shall**  
6 **publish the adopted rule text online in a format as determined by the director. The agency**  
7 **shall be notified when the text is published. The agency shall then have 120 days to certify**  
8 **that the published rule is accurate. If** ~~[unless or until a version prepared for publication, which~~  
9 ~~may have]~~ editorial changes not affecting the substance of the rule~~[, is certified by the agency as the~~  
10 ~~same in substance as originally filed,]~~ **are needed, or an error in the publishing process is**  
11 **identified, then the agency shall notify the director, and such changes shall be made by the**  
12 **director and certified by the agency that it is the same in substance as originally filed. If**  
13 **the agency does not notify the director within the 120-day deadline, then it will be**  
14 **presumed that the agency has reviewed the published language and agreed that it is the**  
15 **certified version and shall be published online by the director in a format as determined by**  
16 **the director.** The certified version shall **then** be the official version. Both the adopted rule as-filed  
17 and as-certified may be an electronic document and still be the official version if in compliance with  
18 RSA 541-A:1, V-a and VI and the drafting and procedure manual for administrative rules under RSA  
19 541-A:8. The official version of the rule shall be available to the public by the agency and the  
20 director pursuant to RSA 541-A:14, IV **as described in the drafting and procedure manual**  
21 **under RSA 541-A:8.**

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23 Amend the bill by replacing section 8 with the following:

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25 8 Rules; Filing Required. Amend RSA 541-A:16, III to read as follows:

26 III. A rule shall become effective as of 12:01 a.m. on the day after the filing of the adopted  
27 rule or as of 12:01 a.m. on the date specified by the agency pursuant to RSA 541-A:14, IV, RSA 541-  
28 A:14-a, III, or RSA 541-A:19, X, or such other **later** date ~~[and time]~~ as specified, provided that filing  
29 occurs before such effective date ~~[and time]~~. Except as provided in RSA 541-A:14-a, a rule adopted  
30 under RSA 541-A:14, IV shall expire after the last day of the tenth year following its becoming  
31 effective, unless sooner amended, readopted, or repealed.

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1 Amend RSA 541-A:19-c, VI(c) as inserted by section 14 of the bill by replacing it with the following:

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3 (c) *Deemed not to be in the public interest, including the existence of substantive*  
4 *inconsistencies between the form and the rule whose provisions incorporate the form by*  
5 *reference or set forth the requirements of the form pursuant to RSA 541-A:19-b; or*  
6

7 Amend the bill by inserting after section 17 the following and renumbering the original section 18 to  
8 read as 19:  
9

10 18 Transition; Application. The provisions of this act shall govern the following on or after the  
11 effective date of this act:

12 I. All rulemaking initiated by filing a notice of rulemaking under RSA 541-A:6.

13 II. All interim rules initiated by filing a proposed interim rule under RSA 541-A:19, II.

14 III. All expedited revisions to forms initiated by filing a notice of rulemaking under RSA  
15 541-A:19-c, III.

16 IV. All notices submitted to the director of legislative services for publication in the  
17 rulemaking register.