

STATE OF NEW YORK

327--A

2017-2018 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2017

Introduced by Sens. MURPHY, AKSHAR, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business -- recommitted to the Committee on Commerce, Economic Development and Small Business in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state administrative procedure act, in relation to periodic review of existing rules

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 1 of section 207 of the state administrative
2 procedure act is amended by adding a new paragraph (c) to read as
3 follows:

4 (c) Notwithstanding the provisions of paragraph (a) and (b) of this
5 subdivision, rules:

6 (i) adopted before January first, nineteen hundred sixty, shall be
7 reviewed and re-proposed on or before December thirty-first, two thou-
8 sand nineteen;

9 (ii) adopted between January first, nineteen hundred sixty and Decem-
10 ber thirty-first, nineteen hundred sixty-nine, shall be reviewed and
11 re-proposed on or before December thirty-first, two thousand twenty-one;

12 (iii) adopted between January first, nineteen hundred seventy and
13 December thirty-first, nineteen hundred seventy-nine, shall be reviewed
14 and re-proposed on or before December thirty-first, two thousand twen-
15 ty-three;

16 (iv) adopted between January first, nineteen hundred eighty and Decem-
17 ber thirty-first, nineteen hundred eighty-nine, shall be reviewed and
18 re-proposed on or before December thirty-first, two thousand twenty-
19 five; and

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (v) adopted between January first, nineteen hundred ninety and Decem-
2 ber thirty-first, nineteen hundred ninety-six, shall be reviewed and
3 re-proposed on or before December thirty-first, two thousand twenty-sev-
4 en.

5 Each state agency shall review its own rules in accordance with this
6 paragraph. Such reviews shall determine the relevance of each rule with
7 respect to current technology, whether the rule is duplicative of feder-
8 al regulation and whether the rule is outdated. No such rules shall be
9 re-proposed under the emergency rule making process unless such rule is
10 determined to be necessary in accordance with subdivision six of section
11 two hundred two of this article.

12 § 2. This act shall take effect immediately.