

## Independent Regulatory Review Act Model Legislation

**Sec. 1. Purpose:** The purposes of this Act are—

- (1) to create a permanent independent regulatory review agency with authority over the state’s regulatory agencies.
- (2) to task the independent regulatory review agency with streamlining regulatory management, increasing transparency, and reviewing drafts of proposed and final regulations.
- (3) to ensure that each regulation is approved by the Governor’s office.

**Sec. 2. Definitions:**

- (1) “Agency” has the same definition as [Cite to agency definition in state APA].
- (2) “Rule” or “regulation” refers to agency writings that hold the force of law and articulates the legal restrictions the regulated community must follow to comply with statutory law.
- (3) “Stakeholder” refers to any group, individual or entity subject to or directly affected by a regulation.

**Sec. 3. Establishment of Independent Review Agency:**

- (1) [Agency Name] is hereby established within the [Office of the Governor / Executive Branch].

**Sec. 4. Role of Agency:**

- (1) [Agency Name] shall perform the following tasks:
  - (a) Compel all executive branch agencies to prepare a unified regulatory plan by [Date] of each year that lists all anticipated rulemaking activities during the subsequent state fiscal year.
  - (b) Streamline all current rulemaking processes and requirements to include but not limited to:
    - (i) Any cost benefit analysis requirements.
    - (ii) Public notice and comment processes.
    - (iii) Periodic review.
    - (iv) Promulgation and drafting of regulation to include review or renewals.
    - (v) Any additional APA requirements.
  - (c) Design, implement and assist with the execution of the regulatory plan of the office of the Governor.
  - (d) Liaison with the office of the attorney general and the secretary of state on regulatory affairs.
  - (e) [Review all regulations currently on the books within a five year timeline, compelling agencies to review or amend regulations that are outdated, burdensome, obsolete, or otherwise do not meet current standards.]

**Sec. 5. Delegation of Rulemaking Authority:**

- (1) The Office of the Governor may delegate the authority to approve regulations down to the independent review agency executive head only.

**Sec. 6. Staffing of Independent Review Agency:**

- (1) [Agency Name] shall be staffed with no less than three individuals to include:
  - (a) Agency executive director.
  - (b) Agency deputy director.

(c) Agency executive assistant.

(2) The Office of the Governor shall be solely responsible for staffing the positions outlined above in Sec. 6.1.a-c.

**Sec. 7. Funding:**

(1) [State shall appropriate \$X to create [Agency Name].]