

**Sixty-first Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 6, 2009**

SENATE BILL NO. 2026
(Legislative Council)
(Administrative Rules Committee)

AN ACT to amend and reenact section 28-32-15 of the North Dakota Century Code, relating to filing dates for administrative rules; and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 28-32-15 of the North Dakota Century Code is amended and reenacted as follows:

28-32-15. Filing of rules for publication - Effective date of rules.

1. A copy of each rule adopted by an administrative agency, a copy of each written comment and a written summary of each oral comment on the rule, and the attorney general's opinion on the rule must be filed by the adopting agency with the office of the legislative council for publication of the rule in the North Dakota Administrative Code.
2. a. Nonemergency rules approved by the attorney general as to legality, adopted by an administrative agency, and filed with the office of the legislative council and not voided or held for consideration by the administrative rules committee become effective according to the following schedule:
 - (1) Rules filed with the legislative council from August ~~sixteenth~~ second through November ~~fifteenth~~ first become effective on the immediately succeeding January first.
 - (2) Rules filed with the legislative council from November ~~sixteenth~~ second through February ~~fifteenth~~ first become effective on the immediately succeeding April first.
 - (3) Rules filed with the legislative council from February ~~sixteenth~~ second through May ~~fifteenth~~ first become effective on the immediately succeeding July first.
 - (4) Rules filed with the legislative council from May ~~sixteenth~~ second through August ~~fifteenth~~ first become effective on the immediately succeeding October first.
- b. If publication is delayed for any reason other than action of the administrative rules committee, nonemergency rules, unless otherwise provided, become effective when publication would have occurred but for the delay.
- c. A rule held for consideration by the administrative rules committee becomes effective on the first effective date of rules under the schedule in subdivision a following the meeting at which that rule is reconsidered by the committee.

SECTION 2. EFFECTIVE DATE. This Act is effective for rules filed with the legislative council after July 31, 2009.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-first Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2026.

Senate Vote: Yeas 41 Nays 0 Absent 6

House Vote: Yeas 90 Nays 0 Absent 4

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2009.

Approved at _____ M. on _____, 2009.

Governor

Filed in this office this _____ day of _____, 2009,
at _____ o'clock _____ M.

Secretary of State