



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

House: GE DPA 7-6-0-0 | 3rd Read 31-29-0-0

Senate: GOV DP 4-3-1-0 | 3rd Read 16-14-0-0

HB 2759: rulemaking; petitions; GRRC

Sponsor: Representative Grantham, LD 12

Senate Engrossed

Overview

Allows a person to petition the Governors Regulatory Review Council (GRRC) to request review of an existing agency practice, substantive policy statement, final rule or regulatory licensing requirement that they allege violates state law.

History

Statute outlines the process for a person to petition GRRC to request a review of an existing agency practice, substantive policy statement, final rule or regulatory licensing requirement that does not meet certain statutory requirements. The GRRC chair is required to place a matter on an agenda if GRRC receives information that the statutory requirements are not being met and at least four members of GRRC request that the matter be heard in a public meeting. GRRC is required to notify the agency that a matter has been placed on an agenda within 10 days of the fourth request and must decide within 90 days.

The agency is required to submit a statement addressing the matter within 30 days of notice from GRRC. An agency practice, policy statement, final rule or licensing requirement remains in effect while under GRRC consideration. GRRC may modify, revise or void an agency practice, policy statement, final rule or licensing requirement that is determined not to meet statutory requirements ([A.R.S. § 41-1033](#)).

Provisions

1. Permits a person to petition GRRC to request a review of an existing agency practice, substantive policy statement, final rule or regulatory licensing requirement that the petitioner alleges violates state law. (Sec. 1)
2. Includes *revising* and *repealing* on a petition that a person submits to GRRC. (Sec.1)
3. Mandates that GRRC must review the existing agency practice, substantive policy statement, final rule or regulatory licensing requirement on receipt of a properly submitted petition. (Sec. 1)
4. States that if GRRC determines that an existing agency practice, substantive policy statement, final rule or regulatory licensing requirement violates state law then it is considered void. (Sec. 1)
5. Clarifies that a GRRC decision is not subject to judicial review, except in situations where a person is seeking declaratory relief due to being affected by an existing agency practice or substantive policy statement. (Sec. 1)
6. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

Senate Amendments

1. Removes the authorization for a person to petition GRRC to request a review of an existing agency practice, substantive policy statement, final rule or regulatory licensing requirement that the petitioner *alleges violates state law*.
2. Makes technical and conforming changes.