

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1280 be amended to read as follows:

1 Page 3, between lines 13 and 14, begin a new paragraph and insert:
2 "**(d) If the OMB finds that a proposed rule is:**
3 **(1) an adoption or incorporation by reference of a federal law,**
4 **regulation, or rule that has no substantive effect on the scope**
5 **or intended application of the federal law or rule; or**
6 **(2) a technical amendment with no substantive effect on an**
7 **existing Indiana rule;**
8 **the OMB may not prepare a cost benefit analysis of the rule under**
9 **this section. The agency shall submit the proposed rule to the OMB**
10 **with a statement explaining how the proposed rule meets the**
11 **requirements of this subsection. If the OMB finds that the rule**
12 **meets the requirements of this subsection, the OMB shall provide**
13 **its findings to the governor and to the administrative rules**
14 **oversight committee in an electronic format under IC 5-14-6. If the**
15 **agency amends or modifies the proposed rule after the OMB finds**
16 **that a cost benefit analysis may not be prepared for the rule, the**
17 **agency shall resubmit the proposed rule to the OMB either for a**
18 **new determination that the rule meets the requirements of this**
19 **subsection, or for the OMB to prepare a cost benefit analysis of the**
20 **rule under this section."**

(Reference is to EHB 1280 as printed February 24, 2012.)

Senator HERSHMAN