

Fifty-sixth  
Legislative Assembly  
of North Dakota

## ENGROSSED HOUSE BILL NO. 1132

Introduced by

Representative Bernstein

1 A BILL for an Act to amend and reenact subsection 6 of section 28-32-02 of the North Dakota  
2 Century Code, relating to the length of time that an emergency rule may remain in effect before  
3 final adoption; and to provide an effective date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. AMENDMENT.** Subsection 6 of section 28-32-02 of the 1997  
6 Supplement to the North Dakota Century Code is amended and reenacted as follows:

7 6. If the agency finds that emergency rulemaking is necessary because of imminent  
8 peril to the public health, safety, or welfare, because a delay in rulemaking is likely  
9 to cause a loss of revenues appropriated to support a duty imposed by law upon  
10 the agency, or because reasonably necessary to avoid a delay in implementing an  
11 appropriations measure, the agency may declare the proposed rule to be an  
12 interim final rule effective on a date no earlier than the date of filing with the  
13 legislative council of the notice required by subsection 4. A final rule adopted after  
14 consideration of all written and oral submissions respecting the interim final rule,  
15 which is substantially similar to the interim final rule, is effective as of the declared  
16 effective date of the interim final rule. The agency's finding, and a brief statement  
17 of the reasons therefor, must be filed with the office of the legislative council, along  
18 with any final rule adopted. The agency shall take appropriate measures to make  
19 interim final rules known to every person who may be affected by them. An interim  
20 final rule is ineffective one hundred ~~eighty~~ twenty days after its declared effective  
21 date unless first adopted and filed with the office of the legislative council as a final  
22 rule.

23 **SECTION 2. EFFECTIVE DATE.** This Act is effective for administrative rules adopted  
24 after July 31, 1999.