



House of Representatives

General Assembly

File No. 478

February Session, 2008

House Bill No. 5896

House of Representatives, April 4, 2008

The Committee on Government Administration and Elections reported through REP. CARUSO of the 126th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE PUBLICATION OF STATE AGENCY REGULATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4-173 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 (a) The Commission on Official Legal Publications shall publish and
4 distribute a compilation of all effective regulations adopted by all state
5 agencies subsequent to October 27, 1970, except regulations adopted
6 pursuant to subsection (f) of section 4-168 of the 2008 supplement to
7 the general statutes. Such publication may be a supplement to or
8 revision of the most current compilation, and shall be published at
9 least semiannually. The Commission on Official Legal Publications
10 may omit from such compilation (1) any regulation that is
11 incorporated by reference into a Connecticut regulation and published
12 by or otherwise available in printed form from a federal agency, a
13 government agency of another state or a commercial publishing

14 company, (2) any regulation that is too expensive to publish, or (3) any
15 regulation the publication of which would be unduly cumbersome. If
16 the commission omits a regulation from the compilation, it shall
17 publish in the compilation a notice identifying the omitted regulation,
18 stating the general subject matter of the regulation and stating an
19 address, telephone number and any other information needed to
20 obtain a copy of the regulation. Such address and telephone number
21 shall be kept current in each semiannual publication of the
22 compilation. The commission shall publish any regulation that has
23 been omitted from publication under subdivision (2) of this subsection
24 as soon as the commission has sufficient funds.

25 (b) The Commission on Official Legal Publications shall in addition
26 cause to be published in the Connecticut Law Journal at least monthly
27 the text of all regulations received by the commission from the office of
28 the Secretary of the State pursuant to section 4-172 during the
29 preceding month. The commission may omit from the Connecticut
30 Law Journal (1) any regulation submitted in accordance with
31 subsection (g) of section 4-168 of the 2008 supplement to the general
32 statutes, for the purposes of renumbering sections only, if a correlated
33 table of the former and new section numbers is published in lieu of the
34 full text, (2) any regulation that is incorporated by reference into a
35 Connecticut regulation and published by or otherwise available in
36 printed form from a federal agency, a government agency of another
37 state or a commercial publishing company, and (3) any regulation the
38 publication of which would be too expensive or unduly cumbersome.
39 If the commission omits a regulation from publication in the
40 Connecticut Law Journal under subdivision (2) or (3) of this
41 subsection, the commission shall publish in the Connecticut Law
42 Journal a notice identifying the omitted regulation, stating the general
43 subject matter of the regulation and stating an address, telephone
44 number and any other information needed to obtain a copy of the
45 regulation.

46 (c) Not later than July 1, 2009, the Department of Information
47 Technology, in consultation with the Commission on Official Legal

48 Publications, shall develop a computer program that enables each state
 49 agency to post on its web site any regulation published pursuant to
 50 subsection (b) of this section.

51 ~~[(c)]~~ (d) Each agency which adopts a regulation shall make the
 52 regulation available for inspection and copying at its main office. On
 53 and after October 1, 2009, each agency shall post on its web site any
 54 regulation of such agency that is published pursuant to subsection (b)
 55 of this section. Not later than January 1, 2010, each such agency shall
 56 post on its web site any effective regulation of such agency.

57 ~~[(d)]~~ (e) Any publication made pursuant to subsections (a) and (b) of
 58 this section shall be made available upon request to agencies and
 59 officials of this state free of charge, and to other persons at prices fixed
 60 by the Commission on Official Legal Publications, in accordance with
 61 section 51-216b.

62 ~~[(e)]~~ (f) The compilation of regulations published under subsection
 63 (a) of this section and all Connecticut regulations omitted from the
 64 compilation under subsection (a) shall be maintained in the reference
 65 collection of each law library described in section 11-19a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	4-173

GAE *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Department of Information Technology	GF - Cost	\$100,000 to \$250,000	50,000
All	App Fund - Cost	See Below	See Below

Note: GF=General Fund; App Fund=All Appropriated Funds

Municipal Impact: None

Explanation

There is a one-time cost of between \$100,000 and \$250,000 to the Department of Information Technology (DOIT) to develop and implement an on-line accessible searchable state regulation database of state agency regulations. The lower estimate is based on the initial costs involved in the development of a procedure to access information already available within other state agencies. The upper estimate is based on the cost of additional software and hardware that DOIT may need to implement the centralized system.

The on-going cost of \$50,000 to DOIT is for data storage and software and hardware maintenance in FY 10 and thereafter.

There is no fiscal impact to other agencies because agencies which do not already publish their regulations on their own website will be able to publish them directly onto the state agency regulation website at no additional cost.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**HB 5896*****AN ACT CONCERNING THE PUBLICATION OF STATE AGENCY REGULATIONS.*****SUMMARY:**

This bill requires the Department of Information Technology, in consultation with the Commission on Official Legal Publications, to develop a computer program by July 1, 2009 enabling state agencies to post on their websites those regulations the commission publishes in the *Connecticut Law Journal*.

Beginning October 1, 2009, the bill requires each state agency to post on its website its regulations that the Commission on Official Legal Publications publishes in the *Connecticut Law Journal*. By January 1, 2010, each agency must post all of its regulations that are in effect.

EFFECTIVE DATE: October 1, 2008

BACKGROUND***Publication of Regulations in the Connecticut Law Journal***

By law, the Commission on Official Legal Publications publishes in the *Connecticut Law Journal* at least monthly the text of most regulations adopted during the preceding month. It may omit a regulation that (1) represents a technical amendment because it renumbers sections only; (2) is incorporated by reference in a Connecticut regulation and is available in printed form from a federal agency, another state government's agency, or a commercial publisher; or (3) would be too costly or cumbersome to publish. If the commission omits a regulation, it must publish a notice identifying the regulation and its general subject matter, and providing an address and telephone number to obtain more information.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 13 Nay 0 (03/17/2008)