

Disapproved Regulations

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December 5, 2023 | 2023-R-0297

Issue

Summarize state law on proposed regulations disapproved by the Regulation Review Committee.

Summary

By law, state agencies' proposed regulations are subject to approval by the Regulation Review Committee. The committee may approve, disapprove, or reject without prejudice a proposed regulation, in whole or in part. If the committee does not act within 65 days after the agency submits the regulation, the regulation is deemed approved ([CGS § 4-170\(c\)](#)). OLR Report [2019-R-0119](#) provides more information about the regulation adoption process and the committee's review.

Under the committee's [2023-2024 rules](#) (see Rule 3), actions by the committee require an affirmative vote by a majority of the members present, except that votes to disapprove a regulation or reject it without prejudice require an affirmative vote of at least eight members. (The committee has 14 members.)

If the committee disapproves a regulation, the agency may not issue any regulation or directive or take any action to implement the disapproved regulation unless the legislature reverses the committee's decision (see below). However, the agency may adopt a substantively new regulation in accordance with the Uniform Administrative Procedure Act (i.e., by restarting the regulation adoption process from the beginning) ([CGS § 4-170\(d\)](#)).

By February 15 of each regular legislative session, the Regulation Review Committee's chairpersons must submit a report to the legislature that, among other things, lists all proposed regulations disapproved by the committee. The House speaker or Senate president pro tempore must refer the disapproved regulation to an appropriate committee for consideration, and the committee must schedule hearings on the disapproved regulation.

The law allows the legislature, by resolution, to reverse or sustain a disapproval. Any legislative action becomes effective as of the resolution's date of passage by the second house ([CGS § 4-171\(b\)](#)).

If the Regulation Review Committee disapproves a proposed regulation implementing a federally subsidized or assisted program, then the law requires (rather than allows) the legislature to sustain or reverse the disapproval. If the legislature fails to reverse such a regulation by resolution, then the disapproval is deemed sustained ([CGS § 4-171\(b\)](#)).

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