



NEW YORK STATE SENATOR

Terrence Murphy

Murphy sings praise for quartet of regulatory reform bills

TERRENCE MURPHY June 4, 2016

| COMMITTEE: **ADMINISTRATIVE REGULATIONS REVIEW COMMISSION (ARRC)**

ALBANY, NY - Four bills sponsored by Senator Terrence Murphy designed to help make the regulatory process in New York more transparent and accessible have been passed by the New York Senate. The bills amend the State Administrative Procedure Act (SAPA), extending the amount of time the public has to comment on a proposed rule and also create new standards for publishing information online.

"Given our increasing reliance on electronic media in the public and legislative sectors there is no reason that rulemaking information should not be made more accessible online," Senator Murphy said. "Passage of this legislation will make the regulatory process in New York more timely, effective and cost efficient for small businesses especially those who are trying to open their doors."

The bills will improve the process the state undergoes when enacting new or amending existing rules and regulations. These measures, which will make the state's information more available for public review, include:

Senate bill S5418A extends the public comment period in the State Register from 45 days to 60 days which will provide interested parties more time to submit detailed responses to proposed rules and regulations. By extending the deadline, the community affected by the

regulations will have a greater opportunity to address concerns with a proposal, allowing state agencies to craft the most responsible and comprehensive rules and regulations; Senate bill S7096 creates minimum standards for posting of information on a state website that is summarized or referenced in the State Register. The state would have to post the full text of a proposed rule no later than the date of publication of the notice and provide detailed information about where the public can access the information. These requirements would prevent the untimely posting of proposed rules and make it easier for the public to find specifics;

Senate bill S7097 requires a proposed or revised rule or another regulatory document's full text to be posted on the applicable state agency's website. No web posting is currently required for a revised rule - even if the text has been extensively revised - or for regulatory impact statements, job impact statements, or flexibility analyses for small businesses, local governments, or rural areas. Since the State Register is already available online, requiring relevant documents that are only summarized in that publication to also be posted online will make the regulatory process in New York more transparent; and

Senate bill S7098 requires the full text of every emergency rule to be readily available to the public, either through publication in the State Register or posting on the applicable state agency's website. It is particularly important for regulated parties and the public to obtain timely access to rules that required immediate adoption through an emergency rule-making process.

Senate bills S7097 and S7098 have passed both houses and now headed to the Governor's desk. The other two bills have been sent to the Assembly.