

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Dorworth offered the following:

Amendment (with title amendment)

Remove lines 197-214 and insert:

(e) Notwithstanding s. 120.56(1)(c), the failure of the agency to prepare a statement of estimated regulatory costs or to respond to a written lower cost regulatory alternative as provided in this subsection is a material failure to follow the applicable rulemaking procedures or requirements set forth in this chapter.

(f)-(e) An agency's failure to prepare a statement of estimated regulatory costs or to respond to a written lower cost regulatory alternative may not be raised in a proceeding challenging the validity of a rule pursuant to s. 120.52(8)(a)
~~No rule shall be declared invalid because it imposes regulatory costs on the regulated person, county, or city which could be~~

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17 ~~reduced by the adoption of less costly alternatives that~~
18 ~~substantially accomplish the statutory objectives, and no rule~~
19 ~~shall be declared invalid based upon a challenge to the agency's~~
20 ~~statement of regulatory costs, unless:~~

21 1. ~~The issue is~~ Raised in a petition filed no later than
22 ~~an administrative proceeding within~~ 1 year after the effective
23 date of the rule; and

24 2. Raised by a person whose substantial interests are
25 affected by the rule's regulatory costs. ~~The substantial~~
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29 **T I T L E A M E N D M E N T**

30 Remove lines 15-19 and insert:
31 that an agency's failure to prepare a statement of estimated
32 regulatory costs or respond to a written lower cost regulatory
33 alternative is a material failure to follow the applicable
34 rulemaking procedures or requirements of the chapter; specifying
35 circumstances under which certain challenges may not be raised;
36 providing exceptions;