



State of Rhode Island

Department of State | Office of the Secretary of State

Gregg M. Amore, *Secretary of State*

January 23, 2024

Honorable Evan P. Shanley, Chair
House Committee on State Government and Elections

RE: H7178 An Act Relating to State Government and Affairs – Administration Procedures

Dear Chair Shanley,

I write this letter with concerns on H7178, legislation that updates the statute that governs the Administrative Procedures Act (APA), and the rulemaking process by requiring that all agencies' final rules be approved by legislative action prior to becoming effective.

Specifically, we are concerned with the potential impact of this bill on Emergency Rulemaking as this would delay responses to public health and other crises. In addition, I am concerned about the impact this legislation would have on rulemaking for the day-to-day operations of State agencies, quasi-public entities, and General Officers to respond and provide oversight for matters falling under their legislative purview.

The public comment period allows members of the public or any interested parties to review and comment on amendments to rules and regulations. Legislative review could take place within that window without changes to the APA, with the exception of emergency filings.

We are providing, attached, our suggested Sub A to address these concerns. Nevertheless, we are willing to continue working with Chair Corvese and the Committee on this legislation.

Thank you for your consideration. If you have any questions, please feel free to contact Michelle Arias, Director of Intergovernmental Affairs, at marias@sos.ri.gov.

Sincerely,

Gregg M. Amore
Secretary of State

cc: Honorable Members of the House Committee on State Government and Elections
Honorable Arthur J. Corvese