

Significant Legislative Rulemaking, [RCW 34.05.328](#), guides how named regulating agencies, adopt rules affecting regulatory programs. The Office for Regulatory Innovation and Assistance (ORIA) collects the effects this section has on the rulemaking process from agencies and stakeholders.

What are significant legislative rules?

Significant Legislative Rules are rules that:

1. Adopts substantive provisions of law, the violation subjects a violator to a penalty or sanction;
2. Establishes, alters, or revokes any qualification or standard for the issuance, suspension, or revocation of a license or permit; or
3. Adopts a new, or makes significant amendments to, a policy or regulatory program.

Agencies must determine the costs and benefits of a new rule, determine if there are least burdensome alternatives, coordinate regulations with state and federal law requirements, and develop an implementation, evaluation, and education plan.

By January 31 of each even-numbered year, after consulting with agencies and stakeholders, ORIA prepares a report regarding rulemaking effects. ORIA distributes the report to the Governor, Legislature, agencies, stakeholders, and posts it on the ORIA website.

What agencies are required to report?

Twelve state agencies report on legislative rulemaking.

1. Department of Ecology
2. Department of Fish and Wildlife
3. Department of Health
4. Department of Labor and Industries
5. Department of Natural Resources
6. Department of Revenue
7. Department of Social and Health Services
8. Employment Security Department
9. Forest Practices Board
10. Office of the Insurance Commissioner
11. State Board of Health
12. Washington State Building Code Council-
effective July 1, 2018

What kinds of information do the agencies track?

The report must document:

1. The rules proposed to which this section applied and to the extent possible, how compliance with this section affected the substance of the rule, if any, that the agency ultimately adopted; The costs incurred in complying with this section;
2. Any legal action or costs to the agency to comply with this section, and the result;
3. The extent this section adversely affected the capacity to fulfill legislatively prescribed mission;
4. The extent this section has improved the acceptability of state rules to those regulated; and
5. Any other information useful to the office of financial management in evaluating this section.

Where can I find more information?

ORIA maintains a central repository of the information reported by agencies.

Visit the [website](#) for more details.

Please contact penny.rarick@gov.wa.gov if you have questions.