

By: Senator(s) Fillingane

To: Accountability,  
Efficiency, Transparency

## SENATE BILL NO. 2559

1       AN ACT TO AMEND SECTION 25-43-3.105, MISSISSIPPI CODE OF  
2 1972, TO PROVIDE THAT ANY ADMINISTRATIVE RULE OR REGULATION HAVING  
3 AN ECONOMIC IMPACT IN EXCESS OF \$1,000,000.00 IS VOID UNTIL  
4 RATIFIED BY THE LEGISLATURE; TO PROVIDE THAT THIS PROVISION SHALL  
5 BE ENTITLED "MISSISSIPPI REGULATIONS FROM THE EXECUTIVE IN NEED OF  
6 SCRUTINY (REINS) ACT"; AND FOR RELATED PURPOSES.

7       **SECTION 1.** Section 25-43-3.105, Mississippi Code of 1972, is  
8 amended as follows:

9       25-43-3.105. (1) Prior to giving the notice required in  
10 Section 25-43-3.103, each agency proposing the adoption of a rule  
11 or significant amendment of an existing rule imposing a duty,  
12 responsibility or requirement on any person shall consider the  
13 economic impact the rule will have on the citizens of our state  
14 and the benefits the rule will cause to accrue to those citizens.  
15 For purposes of this section, a "significant amendment" means any  
16 amendment to a rule for which the total aggregate cost to all  
17 persons required to comply with that rule exceeds \* \* \* One  
18 Million Dollars (\$1,000,000.00).

19       (2) Each agency shall prepare a written report providing an  
20 economic impact statement for the adoption of a rule or



21 significant amendment to an existing rule imposing a duty,  
22 responsibility or requirement on any person, except as provided in  
23 subsection (7) of this section. The economic impact statement  
24 shall include the following:

25 (a) A description of the need for and the benefits  
26 which will likely accrue as the result of the proposed action;

27 (b) An estimate of the cost to the agency, and to any  
28 other state or local government entities, of implementing and  
29 enforcing the proposed action, including the estimated amount of  
30 paperwork, and any anticipated effect on state or local revenues;

31 (c) An estimate of the cost or economic benefit to all  
32 persons directly affected by the proposed action;

33 (d) An analysis of the impact of the proposed rule on  
34 small business;

35 (e) A comparison of the costs and benefits of the  
36 proposed rule to the probable costs and benefits of not adopting  
37 the proposed rule or significantly amending an existing rule;

38 (f) A determination of whether less costly methods or  
39 less intrusive methods exist for achieving the purpose of the  
40 proposed rule where reasonable alternative methods exist which are  
41 not precluded by law;

42 (g) A description of reasonable alternative methods,  
43 where applicable, for achieving the purpose of the proposed action  
44 which were considered by the agency and a statement of reasons for  
45 rejecting those alternatives in favor of the proposed rule; and



46 (h) A detailed statement of the data and methodology  
47 used in making estimates required by this subsection.

(3) No rule or regulation shall be declared invalid based on a challenge to the economic impact statement for the rule unless the issue is raised in the agency proceeding. No person shall have standing to challenge a rule, based upon the economic impact statement or lack thereof, unless that person provided the agency with information sufficient to make the agency aware of specific concerns regarding the statement in an oral proceeding or in written comments regarding the rule. The grounds for invalidation of an agency action, based upon the economic impact statement, are limited to the agency's failure to adhere to the procedure for preparation of the economic impact statement as provided in this section, or the agency's failure to consider information submitted to the agency regarding specific concerns about the statement, if that failure substantially impairs the fairness of the rule-making proceeding.

69 (5) The properly filed summary of the economic impact  
70 statement must also indicate where persons may obtain copies of



71 the full text of the economic impact statement and where, when and  
72 how persons may present their views on the proposed rule and  
73 demand an oral proceeding on the proposed rule if one is not  
74 already provided.

75 (6) If the agency has made a good-faith effort to comply  
76 with the requirements of subsections (1) and (2) of this section,  
77 the rule may not be invalidated on the ground that the contents of  
78 the economic impact statement are insufficient or inaccurate.

79 (7) This section does not apply to the adoption of:

80 (a) Any rule which is required by the federal  
81 government pursuant to a state/federal program delegation  
82 agreement or contract;

83 (b) Any rule which is expressly required by state law;  
84 and

85 (c) A temporary rule adopted pursuant to Section  
86 25-43-3.108.

87 (8) (a) This subsection (8) shall be known and may be cited  
88 as the "Mississippi Regulations from the Executive in Need of  
89 Scrutiny (REINS) Act."

90 (b) If a proposed rule is estimated to cost in excess  
91 of One Million Dollars (\$1,000,000.00), as reflected in an  
92 economic impact statement required under this chapter, the  
93 proposed rule shall not become effective until the Legislature  
94 enacts legislation ratifying the proposed rule.



(i) The issuing agency shall submit the proposed rule to the Legislature no later than thirty (30) days prior to the next regular legislative session. Any member of the Legislature may introduce a bill to ratify the proposed rule.

(ii) The Legislature must ratify the proposed rule before the agency may submit the rule to the Office of the Secretary of State as a final rule. The proposed rule shall not become effective before the effective date of the ratifying legislation.

(iii) If the Legislature does not ratify the proposed rule, the agency shall not submit a final rule to the Office of the Secretary of State.

(c) The agency shall withdraw the proposed rule and cause notice of the withdrawal in the next available issue of the administrative bulletin, if:

(i) The Legislature does not ratify the proposed rule before adjournment sine die; or

(ii) The Legislature does not override a veto, in the event that the Governor vetoes the legislation ratifying the proposed rule.

(d) A proposed rule adopted after July 1, 2025, is invalid unless adopted in compliance with the provisions of this article.

**SECTION 2.** This act shall take effect and be in force from and after July 1, 2025.

