

114TH CONGRESS
1ST SESSION

S. 1807

To require agencies to publish the categorization of certain proposed and final rules, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2015

Mr. DAINES (for himself, Mr. BLUNT, and Mr. GARDNER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To require agencies to publish the categorization of certain proposed and final rules, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Regulatory Impact
5 Scale on the Economy Small Business Act of 2015” or
6 the “RISE Small Business Act of 2015”.

7 **SEC. 2. CATEGORIZATION OF RULES.**

8 Section 553 of title 5, United States Code, is amend-
9 ed by adding at the end the following:

10 “(f) CATEGORIZATION OF RULES.—

1 “(1) IN GENERAL.—Before an agency promul-
2 gates a proposed or final rule that the agency deter-
3 mines is likely to have an annual effect on the econ-
4 omy of not less than \$100,000,000, the agency
5 shall—

6 “(A) assign the rule to the applicable cat-
7 egory described in paragraph (2) based on the
8 highest possible annual effect that the agency
9 determines the proposed or final rule is likely to
10 have on the economy; and

11 “(B) publish in the Federal Register the
12 assigned category for the rule.

13 “(2) CATEGORIES.—A proposed or final rule is
14 a—

15 “(A) category 1 rule, if the agency deter-
16 mines that the rule is likely to result in an an-
17 nual effect on the economy of not less than
18 \$100,000,000 and not more than
19 \$499,999,999;

20 “(B) category 2 rule, if the agency deter-
21 mines that the rule is likely to result in an an-
22 nual effect on the economy of not less than
23 \$500,000,000 and not more than
24 \$999,999,999;

1 “(C) category 3 rule, if the agency deter-
2 mines that the rule is likely to result in an an-
3 nual effect on the economy of not less than
4 \$1,000,000,000 and not more than
5 \$4,999,999,999;

6 “(D) category 4 rule, if the agency deter-
7 mines that the rule is likely to result in an an-
8 nual effect on the economy of not less than
9 \$5,000,000,000 and not more than
10 \$9,999,999,999; and

11 “(E) category 5 rule, if the agency deter-
12 mines that the rule is likely to result in an an-
13 nual effect on the economy of not less than
14 \$10,000,000,000.

15 “(3) SUBMISSION TO OIRA.—Each agency shall,
16 on an annual basis, submit to the Administrator of
17 the Office of Information and Regulatory Affairs a
18 list of the rules, by category, that the agency pub-
19 lished in the Federal Register under paragraph (1)
20 during the preceding year.

21 “(4) PUBLICATION ON OIRA WEBSITE.—Not
22 later than 60 days after the date on which the Ad-
23 ministrator of the Office of Information and Regu-
24 latory Affairs receives a list of rules from an agency

1 under paragraph (3), the Administrator shall publish
 2 on www.reginfo.gov—

3 “(A) the list of rules received from the
 4 agency under paragraph (3); and

5 “(B) an estimate of the costs and benefits
 6 of each rule included on the list.”.

7 **SEC. 3. DEFINING SIGNIFICANT ECONOMIC IMPACT FOR**
 8 **INITIAL AND FINAL REGULATORY FLEXI-**
 9 **BILITY ANALYSES.**

10 Section 601 of title 5, United States Code, is amend-
 11 ed—

12 (1) in paragraph 6, by striking “and” at the
 13 end;

14 (2) in paragraph 7, by striking the period at
 15 the end and inserting a semicolon;

16 (3) in paragraph 8—

17 (A) by striking “RECORDKEEPING” and all
 18 that follows through “The” and inserting
 19 “the”; and

20 (B) by striking the period at the end and
 21 inserting “; and”; and

22 (4) by adding at the end the following:

1 “(9) the term ‘significant economic impact’
2 means an annual economic effect of not less than
3 \$100,000,000.”.

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