

**HOUSE . . . . . No. 3891**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Nicholas A. Boldyga*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act enhancing legislative oversight of regulatory actions in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>1/17/2025</i>

**HOUSE . . . . . No. 3891**

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By Representative Boldyga of Southwick, a petition (accompanied by bill, House, No. 3891) of Nicholas A. Boldyga relative to legislative oversight of certain regulatory actions. Rules of the two branches, acting concurrently.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
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An Act enhancing legislative oversight of regulatory actions in Massachusetts.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Section 1. Definitions

2           As used in this act, the following words shall have the following meanings unless the  
3 context clearly requires otherwise:

4           (a) "Agency" means any department, commission, board, council, authority, or other  
5 body of the Commonwealth of Massachusetts, including executive offices, that has the authority  
6 to promulgate regulations.

7           (b) "Rule" means any regulation, standard, statement of policy, or other form of agency  
8 action that has the force and effect of law.

9           (c) "Legislature" means the General Court of the Commonwealth of Massachusetts,  
10 consisting of the Senate and the House of Representatives.

11 (d) "Major Rule" means a rule proposed by an agency which is likely to have an adverse  
12 impact on economic growth, private sector job creation or employment, or have a direct and  
13 significant adverse impact on businesses, including small businesses. A major rule is one that has  
14 an estimated economic impact of more than \$1 million over five years, adjusted annually for  
15 inflation.

## 16 Section 2. Legislative Review of Major Rules

17 (a) Economic Impact Statement. Before proposing a major rule, an agency shall prepare  
18 an economic impact statement (EIS) that includes:

19 (1) An estimate of the economic impact of the rule on the state economy, job creation,  
20 and business costs, including small businesses.

21 (2) An analysis of alternative regulatory approaches and their associated costs.

22 (b) Legislative Ratification Required. No major rule shall be effective unless ratified by  
23 both branches of the Legislature. The agency shall submit the proposed rule and the EIS to the  
24 Clerk of the Senate and the Clerk of the House of Representatives for consideration by the  
25 legislature

26 (c) Legislative Process.

27 (1) The Legislature shall have the authority to review, approve, or reject the proposed  
28 major rule.

29 (2) Approval shall be by a concurrent resolution of both the Senate and the House, which  
30 must be passed within 90 days of the rule's submission or the rule shall be deemed disapproved.

31 (3) If the Legislature does not act within this period, the rule is considered disapproved.

32 (d) Emergency Rules. Rules necessary for the immediate preservation of the public  
33 peace, health, safety, or welfare may take effect immediately but must be submitted to the  
34 Legislature for ratification within 30 days.

### 35 Section 3. Public Participation and Transparency

36 (a) Agencies must provide opportunities for public comment on proposed major rules,  
37 including at least one public hearing.

38 (b) All economic impact statements, proposed rules, and legislative resolutions shall be  
39 made available online and in the State House library for public inspection.

### 40 Section 4. Judicial Review

41 (a) Any person adversely affected by a rule implemented under this act may seek judicial  
42 review in accordance with Massachusetts law to challenge the rule's validity on the grounds that  
43 it was not properly ratified or that its economic impact was miscalculated.

### 44 Section 5. Reporting

45 (a) Each agency shall annually report to the Legislature on the number of rules proposed,  
46 the number of major rules, and the outcomes of legislative ratification for those rules.