

103^D CONGRESS
1ST SESSION

H. R. 894

To require the Congressional Budget Office to prepare estimates of the cost incurred by State and local governments in carrying out or complying with new legislation; to amend the Rules of the House of Representatives to require the inclusion of such estimates in committee reports on bills and joint resolutions; and to amend the Rules of the House of Representatives to ensure that Federal laws requiring activities by such governments shall not apply unless all amounts necessary to pay the direct costs of the activities are provided by the Federal Government.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 16, 1993

Mr. HEFLEY introduced the following bill; which was referred to the
Committee on Rules

A BILL

To require the Congressional Budget Office to prepare estimates of the cost incurred by State and local governments in carrying out or complying with new legislation; to amend the Rules of the House of Representatives to require the inclusion of such estimates in committee reports on bills and joint resolutions; and to amend the Rules of the House of Representatives to ensure that Federal laws requiring activities by such governments shall not apply unless all amounts necessary to pay the direct costs of the activities are provided by the Federal Government.

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 “Mandate Relief Act
5 of 1993”.

6 **SEC. 2. ESTIMATION BY CONGRESSIONAL BUDGET OFFICE**
7 **OF COST INCURRED BY STATE AND LOCAL**
8 **GOVERNMENTS IN COMPLYING WITH LEGIS-**
9 **LATION.**

10 (a) COST ESTIMATION REQUIREMENT.—For each bill
11 or joint resolution of a public character reported by any
12 committee of the House of Representatives or the Senate,
13 and for each conference report reported by a conference
14 committee of the Congress, the Director of the Congres-
15 sional Budget Office shall prepare and submit to the
16 House of Representatives or the Senate, respectively (or
17 in the case of a conference report to both)—

18 (1) an estimate of the cost which would be in-
19 curred by State and local governments in carrying
20 out or complying with the bill or resolution in the
21 fiscal year in which it is to become effective and in
22 each of the 4 fiscal years following such fiscal year,
23 including a description of the basis for the estimate;
24 and

1 (2) a comparison of the estimate of cost de-
2 scribed in paragraph (1) with any available esti-
3 mates of such cost made such committee or by any
4 Federal agency.

5 (b) ESTIMATES TO BE INCLUDED IN REPORT.—The
6 estimate and description required for a bill or joint resolu-
7 tion under subsection (a) shall be included in the report
8 accompanying the bill or joint resolution.

9 (c) CONFORMING AMENDMENTS.—Section 403 of the
10 Congressional Budget Act of 1974 (2 U.S.C. 653) is
11 amended—

12 (1) in subsection (a) by—

13 (A) striking paragraph (2);

14 (B) redesignating paragraphs (3) and (4)
15 in order as paragraphs (2) and (3), respectively;
16 and

17 (C) in paragraph (2), as redesignated by
18 subparagraph (B), by striking “paragraphs (1)
19 and (2)” and inserting “paragraph (1)”;

20 (2) by striking subsections (b) and (c); and

21 (3) by striking “(a)” after “SEC. 403”.

22 **SEC. 3. REQUIREMENT UNDER HOUSE RULES TO INCLUDE**
23 **ESTIMATES IN COMMITTEE REPORTS.**

24 Clause 2(l)(3) of rule XI of the Rules of the House
25 of Representatives is amended—

1 (1) in clause (C) by striking “and” after the
2 semicolon at the end; and

3 (2) in clause (D) by striking the period at the
4 end and inserting the following: “; and (E) the esti-
5 mate and comparison prepared by the Director of
6 the Congressional Budget Office under section 2(a)
7 of the Mandate Relief Act of 1993, separately set
8 out and clearly identified.”.

9 **SEC. 4. REQUIREMENT UNDER HOUSE RULES TO PROVIDE**
10 **APPROPRIATIONS TO PAY COSTS TO STATE**
11 **AND LOCAL GOVERNMENTS.**

12 Rule XXI of the Rules of the House of Representa-
13 tives is amended by adding at the end the following:

14 “8. It shall not be in order to consider a bill, joint
15 resolution, or conference report for which the Director of
16 the Congressional Budget Office is required to submit an
17 estimate under section 2(a) of the Mandate Relief Act of
18 1993 unless the bill, joint resolution, or conference report
19 contains the following statement of law: ‘A requirement
20 under this Act that a unit of State or local government
21 conduct an activity (including a requirement that such a
22 government meet national standards in providing a serv-
23 ice) shall not apply to such a unit unless and until all
24 amounts necessary to pay the direct costs incurred by the

1 unit in conducting the activity are provided to the unit
2 by the Government of the United States.’.

3 “9. An amendment shall not be in order during the
4 consideration of a bill or joint resolution if (A) the amend-
5 ment includes a provision which if included in a bill, joint
6 resolution, or conference report reported by a committee
7 or conference committee would result in the Director of
8 the Congressional Budget Office being required to submit
9 an estimate under section 2(a) of the Mandate Relief Act
10 of 1993, and (B) upon approval of the amendment the
11 bill or resolution would not include the statement of law
12 set forth in clause 8.”.

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