



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 5670 (as passed by the House)
Sponsor: Representative John Pappageorge

CONTENT

The bill would amend the Administrative Procedures Act to give the Joint Committee on Administrative Rules (JCAR) 15 session days, rather than 21 calendar days, to consider a proposed rule and object to it, and allow JCAR to waive the remaining session days. ("Session day" would mean a day in which both the Senate and the House convene in session.) The bill also would do the following:

- Provide that a rule would take effect immediately after the Office of Regulatory Reform (ORR) filed it with the Secretary of State (rather than seven days after its filing), unless the rule indicated a later date.
- Provide that if JCAR filed a notice of objection to a rule, the ORR could not file it with the Secretary of State until 15 session days after the notice was filed, or JCAR rescinded the notice of objection, whichever was earlier. (Currently, the ORR may not file a rule within 21 consecutive calendar days after a notice of objection has been filed.)
- Allow the ORR, on behalf of an agency, to transmit and publish required notices.
- Allow the ORR to issue a certificate of approval of a proposed rule, if the Legislative Service Bureau (LSB) failed to do so within 21 calendar days after receiving an agency's submission for formal certification; and provide that the 21-day period would be tolled if the LSB returned the agency's submission before that period expired.
- Require an agency to include a copy of a regulatory impact statement in its report to the ORR after a public hearing on a proposed rule, and require the ORR to transmit a copy of the statement to JCAR.
- Delete a provision allowing JCAR, a standing committee, or a legislator to introduce a concurrent resolution that, if adopted, constitutes legislative disapproval of a promulgated rule.

MCL 24.224 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 3-29-04

Fiscal Analyst: Bill Bowerman