

Legislative Analysis



ELECTRONIC COPIES OF ADMINISTRATIVE RULES

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Senate Bill 582 as passed by the Senate
Sponsor: Sen. Michael D. Bishop
House Committee: Government Operations
Senate Committee: Government Operations

First Analysis (5-17-06)

BRIEF SUMMARY: The bill would require the State Office of Administrative Hearings and Rules to file electronic copies of administrative rules with the Secretary of State, and require the Secretary of State to send electronic copies to the legislature.

FISCAL IMPACT: The bill would result in a savings to those state departments and agencies now providing paper copies of rules. The Department of Labor and Economic Growth has estimated that the department would save \$4,000 annually.

THE APPARENT PROBLEM:

Under current practice, state agencies file 170 copies of administrative rules with the Office of the Great Seal (Department of State) for distribution to the legislature. In cases where the agency does not provide the office with a sufficient number of copies, the office will make copies, at a substantial cost to the department. Given that these rules (and supporting documents) are available electronically on the state's website, it has been suggested that copies of the administrative rules be delivered to the legislature electronically.

THE CONTENT OF THE BILL:

The bill would amend the Administrative Procedures Act to require the State Office of Administrative Hearings and Rules (SOAHR) to file an electronic copy of promulgated rules with the Secretary of State, in addition to the three paper copies currently required. The bill would also require the Secretary of State to transmit an electronic copy, rather than a paper copy, of promulgated rules to the Secretary of the Senate and the Clerk of the House for distribution or transmittal to legislators. (The bill would add "or transmittal.")

MCL 24.246 and 24.249

ARGUMENTS:

For:

The bill reduces printing costs for state agencies. The website for the State Office of Administrative Hearings and Rules contains copies of recently promulgated rules, regulatory impact statements for proposed rules, as well as the Administrative Code and

the Michigan Register. Legislators in search of information on administrative rules can go to the SOAHR website and find that information; a paper copy is not necessary. Further, the act already permits the Secretary of the Senate and the Clerk of the House to electronically transmit copies of administrative rules to legislators, if the legislature will not be in session more than 10 days after secretary and clerk receive the rules. It makes sense for legislators also to receive electronic copies of administrative rules while the legislature is in session.

POSITIONS:

The Department of Labor and Economic Growth supports the bill. (5-16-06)

The Department of State supports the bill. (5-16-06)

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