

# SENATE BILL No. 582

June 14, 2005, Introduced by Senators BISHOP, SANBORN, GILBERT, TOY, PATTERSON, BIRKHOLZ, CASSIS, STAMAS, ALLEN, GOSCHKA, VAN WOERKOM, GEORGE, BROWN, McMANUS, BASHAM and KUIPERS and referred to the Committee on Government Operations.

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 46 and 49 (MCL 24.246 and 24.249), section 46 as amended by 1999 PA 262 and section 49 as amended by 2004 PA 23.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 46. (1) To promulgate a rule the ~~office of regulatory~~  
 2 ~~reform~~ **STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES** shall  
 3 file in the office of the secretary of state 3 copies of the rule  
 4 bearing the required certificates of approval and adoption, ~~and~~  
 5 true copies of the rule without the certificates, **AND 1 ELECTRONIC**  
 6 **COPY**. The ~~office of regulatory reform~~ **STATE OFFICE OF**  
 7 **ADMINISTRATIVE HEARINGS AND RULES** shall not file a rule, except an  
 8 emergency rule under section 48 and rules processed under sections

1 33 and 44, until the time periods for committee and legislative  
2 consideration described in section 45a have elapsed.

3 (2) The secretary of state shall endorse the date and hour of  
4 filing of rules on the 3 copies of the filing bearing the  
5 certificates and shall maintain a file containing 1 copy for public  
6 inspection.

7 (3) The secretary of state, as often as he or she considers it  
8 advisable, shall cause to be arranged and bound in a substantial  
9 manner the rules hereafter filed in his or her office with their  
10 attached certificates and published in a supplement to the Michigan  
11 administrative code. The secretary of state shall certify under his  
12 or her hand and seal of the state on the frontispiece of each  
13 volume that it contains all of the rules filed and published for a  
14 specified period. The rules, when so bound and certified, shall be  
15 kept in the office of the secretary of state and no further record  
16 of the rules is required to be kept. The bound rules are subject to  
17 public inspection.

18 Sec. 49. (1) The secretary of state shall transmit, after  
19 copies of rules are filed in his or her office, ~~a paper copy on~~  
20 ~~which the day and hour of that filing have been indorsed, as~~  
21 ~~follows~~ **THE FOLLOWING:**

22 (a) To the secretary of the committee and the ~~office of~~  
23 ~~regulatory reform~~ **STATE OFFICE OF ADMINISTRATIVE HEARINGS AND**  
24 **RULES, A PAPER COPY UPON WHICH THE DAY AND HOUR OF THAT FILING HAVE**  
25 **BEEN ENDORSED.**

26 (b) To the secretary of the senate and the clerk of the house  
27 of representatives, **AN ELECTRONIC COPY** for distribution **OR**

1 **TRANSMITTAL** by them to each member of the senate and the house of  
2 representatives. When the legislature is not in session, or is in  
3 session but will not meet for more than 10 days after the secretary  
4 and clerk have received the rules, the secretary and clerk shall  
5 mail or electronically transmit 1 copy to each member of the  
6 legislature at his or her home address.

7 (2) The secretary of the senate and clerk of the house of  
8 representatives shall present the rules to the senate and the house  
9 of representatives.