



HOUSE BILL No. 4924

September 30, 1999, Introduced by Rep. Richner and referred to the Committee on Constitutional Law and Ethics.

A bill to amend 1846 RS 12, entitled
"Of certain state officers,"
by amending section 32 (MCL 14.32).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 32. (1) It ~~shall be~~ IS the duty of the attorney gen-
2 eral, when required, to give his OR HER opinion upon all ques-
3 tions of law submitted to him OR HER by 1 OR MORE OF the
4 FOLLOWING:

5 (A) THE legislature —, or ~~by~~ either ~~branch thereof, or~~
6 ~~by the~~ HOUSE OF THE LEGISLATURE.

7 (B) THE governor. —,

8 (C) THE auditor general. —,

9 (D) THE STATE treasurer. ~~or any~~

10 (E) ANY other state officer. —, ~~and~~

1 (2) THE ATTORNEY GENERAL SHALL also ~~to~~ notify the county
2 treasurer of the ~~proper~~ county ~~, of the neglect or refusal of~~
3 ~~any~~ IN WHICH THE prosecuting attorney NEGLECTS OR REFUSES to
4 make the annual report to the attorney general required of ~~him~~
5 THE PROSECUTING ATTORNEY by law.

6 (3) EXCEPT AS PROVIDED IN SUBSECTION (4), AN OPINION ISSUED
7 BY THE ATTORNEY GENERAL ON A QUESTION OF LAW UNDER SUBSECTION (1)
8 IS ADVISORY AND NOT BINDING.

9 (4) AN OPINION ISSUED BY THE ATTORNEY GENERAL ON A QUESTION
10 OF LAW UNDER SUBSECTION (1) IS BINDING ON THE EXECUTIVE BRANCH OF
11 STATE GOVERNMENT ONLY IF A STATE OFFICER REQUESTED THE OPINION ON
12 BEHALF OF A STATE DEPARTMENT OR STATE AGENCY AND THE OPINION
13 RELATES TO THAT STATE DEPARTMENT OR STATE AGENCY OR THE JURISDIC-
14 TION OR ENFORCEMENT AUTHORITY OF THAT STATE DEPARTMENT OR STATE
15 AGENCY.