

Legislative Analysis



PERIODIC REVIEW OF RULES

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4988

Sponsor: Rep. Arlan Meekhof

Committee: Government Operations

Complete to 3-17-10

A REVISED SUMMARY OF HOUSE BILL 4988 AS INTRODUCED 5-26-09

The bill would amend the Administrative Procedures Act in the following ways:

- Each state agency is required to prepare an annual regulatory plan that reviews its rules. The bill would require the annual plan to identify all existing rules promulgated and whether those rules should be continued, changed, or rescinded considering the statutory and public policy purpose of those rules.
- Each state agency and the appropriate standing committees of the House of Representatives and State Senate would have to review each newly promulgated set of rules within five years after their effective date to determine whether there is any increased impact on small businesses since the rules took effect. For existing rules, this review would have to take place within four years after this bill took effect.
- Each state agency and the appropriate standing committees of the House and Senate would have to review rules on the fifth anniversary of the initial review and each five years thereafter. The review would have to consider: the continued need for the rules; the nature of any complaints or comments received from the public about the rules; the complexity of complying with the rules; the extent to which the rules conflict with or duplicate similar rules or regulations of the federal government or local government; and the date of the last evaluation of the rules and the degree to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

MCL 24.253

FISCAL IMPACT:

House Bill 4988 would have an indeterminate, but likely negative fiscal impact on all state agencies. Any fiscal impact would be the result of increased administrative costs associated with the provisions of the bill. Each agency would experience increased costs as a result of the additional procedural requirements that would apply to the development of administrative rules. The cost of the increased procedural requirements is unknown at this time and would depend on the agency.

Legislative Analyst: Chris Couch
Fiscal Analyst: Ben Gielczyk

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