

HOUSE BILL No. 4359

March 19, 2015, Introduced by Rep. Goike and referred to the Committee on Oversight and Ethics.

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," (MCL 24.201 to 24.328) by adding sections 9 and 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 9. (1) AN AGENCY SHALL PLACE A STATEMENT AS PROVIDED IN**
2 **SUBSECTION (2) ON ALL OF THE FOLLOWING THAT ARE ADOPTED BY THE**
3 **AGENCY:**

- 4 **(A) GUIDELINES.**
- 5 **(B) FORMS WITH INSTRUCTIONS.**
- 6 **(C) INTERPRETIVE STATEMENTS.**
- 7 **(D) INFORMATIONAL PAMPHLETS.**
- 8 **(E) INTERGOVERNMENTAL, INTERAGENCY, OR INTRA-AGENCY MEMORANDA,**
9 **DIRECTIVES, OR COMMUNICATIONS.**
- 10 **(F) OPERATIONAL MEMORANDA.**
- 11 **(G) BULLETINS.**

1 (H) DIRECTIONAL OR INSTRUCTIONAL DOCUMENTS THAT ARE SENT OR
2 DISTRIBUTED OUTSIDE OF THE AGENCY.

3 (2) THE STATEMENT REQUIRED UNDER SUBSECTION (1) IS "THIS
4 (INSERT THE TYPE OF DOCUMENT) DOES NOT HAVE THE FORCE AND EFFECT OF
5 LAW AND IS NOT BINDING ON A NON-GOVERNMENTAL INDIVIDUAL OR
6 ORGANIZATION."

7 (3) A STATEMENT UNDER THIS SECTION MUST BE CLEARLY LEGIBLE ON
8 A PRINTED VERSION OF THE DOCUMENT OR ON A WEBPAGE ON WHICH AN
9 ELECTRONIC VERSION OF THE DOCUMENT IS VIEWABLE.

10 SEC. 10. (1) AN AGENCY SHALL CREATE AND MAINTAIN AN INDEX OF
11 ALL OF THE FOLLOWING THAT THE AGENCY HAS ADOPTED THAT ARE CURRENTLY
12 IN EFFECT:

13 (A) GUIDELINES.

14 (B) FORMS WITH INSTRUCTIONS.

15 (C) INTERPRETIVE STATEMENTS.

16 (D) INFORMATIONAL PAMPHLETS.

17 (E) INTERGOVERNMENTAL, INTERAGENCY, OR INTRA-AGENCY MEMORANDA,
18 DIRECTIVES, OR COMMUNICATIONS.

19 (F) OPERATIONAL MEMORANDA.

20 (G) BULLETINS.

21 (H) DIRECTIONAL OR INSTRUCTIONAL DOCUMENTS THAT ARE SENT OR
22 DISTRIBUTED OUTSIDE OF THE AGENCY.

23 (2) AN AGENCY SHALL MAKE THE INDEX MAINTAINED UNDER SUBSECTION
24 (1) AVAILABLE TO THE PUBLIC BY DOING BOTH OF THE FOLLOWING:

25 (A) POSTING THE INDEX ON THE AGENCY'S PUBLICLY AVAILABLE
26 WEBSITE.

27 (B) PROVIDING A WRITTEN COPY OF THE INDEX TO ANYONE WHO

1 **REQUESTS A COPY.**

2 Enacting section 1. This amendatory act takes effect 90 days
3 after the date it is enacted into law.