

HOUSE BILL No. 5671

May 19, 2016, Introduced by Reps. Canfield, Goike, Inman, Hughes, Victory, Lauwers, Barrett and Cole 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 section 47a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 47A. (1) EXCEPT AS PROVIDED IN SUBSECTIONS (2) AND (3), A**
2 **RULE PROMULGATED AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT**
3 **THAT ADDED THIS SECTION IS RESCINDED 7 YEARS AFTER THE DATE IT IS**
4 **PROMULGATED.**

5 **(2) SUBSECTION (1) DOES NOT APPLY TO ANY OF THE FOLLOWING:**

6 **(A) A RULE THAT IS REQUIRED BY FEDERAL LAW.**

7 **(B) A RULE PROMULGATED UNDER A STATUTE THAT PROVIDES THAT THIS**
8 **SECTION DOES NOT APPLY TO RULES PROMULGATED UNDER THE STATUTE.**

9 **(3) AN AGENCY MAY APPLY TO THE COMMITTEE FOR AN EXTENSION OF**
10 **THE EFFECTIVENESS OF A RULE FOR UP TO 7 YEARS BEYOND ITS RESCISSION**

1 DATE UNDER SUBSECTION (1). AN AGENCY SHALL NOT APPLY FOR MORE THAN
2 1 EXTENSION UNDER THIS SUBSECTION. IF THE COMMITTEE APPROVES A
3 REQUEST UNDER THIS SUBSECTION, THE RULE IS RESCINDED ON THE
4 EXTENDED DATE APPROVED BY THE COMMITTEE.

5 (4) THE PROCEDURES APPLICABLE TO THE PROMULGATION OF RULES DO
6 NOT APPLY TO A REQUEST FOR OR THE EXTENSION OF A RULE UNDER
7 SUBSECTION (3). A REQUEST UNDER SUBSECTION (3) MUST BE IN WRITING
8 AND SUBMITTED TO THE COMMITTEE BEFORE THE RESCISSION DATE UNDER
9 SUBSECTION (1). THE COMMITTEE MAY REQUIRE THE AGENCY TO PROVIDE THE
10 COMMITTEE WITH ANY INFORMATION THE COMMITTEE DETERMINES IS
11 NECESSARY TO CONSIDER THE AGENCY'S REQUEST.

12 Enacting section 1. This amendatory act takes effect January
13 1, 2017.