

HOUSE BILL No. 4530

April 26, 2017, Introduced by Reps. Hernandez, Reilly, Johnson, Runestad, Barrett, Noble, Wentworth, Hoitenga, Hauck, Howell and Theis and referred to the Committee on Michigan Competitiveness.

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3 THAT ADDED THIS SECTION IS RESCINDED 7 YEARS AFTER THE DATE IT IS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
11 DATE UNDER SUBSECTION (1). AN AGENCY SHALL NOT APPLY FOR MORE THAN

1 1 EXTENSION UNDER THIS SUBSECTION. IF THE COMMITTEE APPROVES A
2 REQUEST UNDER THIS SUBSECTION, THE RULE IS RESCINDED ON THE
3 EXTENDED DATE APPROVED BY THE COMMITTEE.

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

11 Enacting section 1. This amendatory act takes effect January
12 1, 2018.