

HOUSE BILL No. 4780

June 20, 2017, Introduced by Reps. Kesto and Kosowski and referred to the Committee on Law and Justice.

A bill to amend 1970 PA 193, entitled

"An act to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe certain functions of the legislative council and certain state agencies relative thereto,"

by amending sections 1 and 7 (MCL 8.41 and 8.47), as amended by 1999 PA 263.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) The legislative council shall provide for
2 ~~compilations~~ **THE COMPILATION** of all general laws in force **AND SHALL**
3 **MAKE THIS COMPILATION AVAILABLE TO THE GENERAL PUBLIC.**

4 (2) The office of ~~regulatory reform~~ **PERFORMANCE AND**
5 **TRANSFORMATION** shall provide ~~compilations~~ **FOR THE COMPILATION** of
6 administrative rules promulgated under the administrative
7 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, **AND**

1 SHALL MAKE THIS COMPILATION AVAILABLE TO THE GENERAL PUBLIC.

2 (3) The LEGISLATIVE COUNCIL SHALL DO ALL OF THE FOLLOWING IN A
3 COMPILATION UNDER SUBSECTION (1):

4 (A) ARRANGE THE general laws ~~shall be arranged without~~
5 alteration. ~~All compilations shall include~~

6 (B) PROVIDE appropriate heads ~~HEADINGS~~ and titles. ~~The printed~~
7 ~~compilations shall contain an~~

8 (C) PROVIDE FOR AN index ~~of the laws or rules contained in the~~
9 ~~compilations and~~ OR MEANS OF SEARCHING THE COMPILATION.

10 (D) INCLUDE ANY notes, references, and other materials ~~as the~~
11 ~~council or office of regulatory reform considers necessary~~ OR
12 APPROPRIATE.

13 (E) INCLUDE THE DATE THAT THE COMPILATION WAS LAST DESIGNATED
14 AS OFFICIAL UNDER SECTION 7.

15 (F) IDENTIFY THE MOST RECENT PUBLIC ACT INCLUDED IN THE
16 COMPILATION.

17 (4) THE OFFICE OF PERFORMANCE AND TRANSFORMATION SHALL DO ALL
18 OF THE FOLLOWING IN A COMPILATION UNDER SUBSECTION (2):

19 (A) ARRANGE THE ADMINISTRATIVE RULES WITHOUT ALTERATION.

20 (B) PROVIDE APPROPRIATE HEADINGS AND TITLES.

21 (C) PROVIDE FOR AN INDEX OR A MEANS OF SEARCHING THE
22 COMPILATION.

23 (D) INCLUDE ANY NOTES, REFERENCES, AND OTHER MATERIALS THE
24 OFFICE OF PERFORMANCE AND TRANSFORMATION CONSIDERS NECESSARY OR
25 APPROPRIATE.

26 (5) ~~(4)~~ The LEGISLATIVE council shall determine ~~the number of~~
27 ~~sets of the compiled laws to be printed and bound, the weight and~~

1 ~~kind of paper, the style and material for binding, and all other~~
 2 ~~matters concerning the format and contents~~ **CONTENT** of the
 3 ~~compilations.~~ **COMPILATION UNDER SUBSECTION (1) AND THE MANNER IN**
 4 **WHICH THE COMPILATION IS MADE AVAILABLE TO THE GENERAL PUBLIC.**

5 (6) ~~(5) The office of regulatory reform~~ **PERFORMANCE AND**
 6 **TRANSFORMATION** shall determine ~~the number of sets of the~~
 7 ~~administrative rules to be printed and bound, the weight and kind~~
 8 ~~of paper, the style and material for binding, and all other matters~~
 9 ~~concerning the format and contents~~ **CONTENT** of the
 10 ~~compilations.~~ **COMPILATION UNDER SUBSECTION (2) AND THE MANNER IN**
 11 **WHICH THE COMPILATION IS MADE AVAILABLE TO THE GENERAL PUBLIC.**

12 Sec. 7. (1) ~~Before any copies of a volume of~~ **NOT LATER THAN**
 13 **180 DAYS AFTER THE EFFECTIVE DATE OF THE 2017 AMENDATORY ACT THAT**
 14 **AMENDED THIS SECTION, THE LEGISLATIVE COUNCIL SHALL EXAMINE** the
 15 **ELECTRONIC** compilation of the **MICHIGAN** compiled laws ~~are printed~~
 16 ~~and bound or otherwise made available to the general public, they~~
 17 ~~shall be examined and compared by the council and, if in compliance~~
 18 ~~with this act, the~~ **LEGISLATIVE** council shall ~~so certify.~~ **DESIGNATE**
 19 **THE ELECTRONIC COMPILATION AS OFFICIAL PURSUANT TO CHAPTER 1A OF**
 20 **THE LEGISLATIVE COUNCIL ACT, 1988 PA 100, MCL 4.1121 TO 4.1131. IN**
 21 **ADDITION, AFTER THE FINAL ADJOURNMENT OF A REGULAR SESSION HELD IN**
 22 **AN EVEN-NUMBERED YEAR, THE LEGISLATIVE COUNCIL SHALL AUTHENTICATE**
 23 **THAT THE COMPILATION OF THE MICHIGAN COMPILED LAWS IS AN ACCURATE**
 24 **COPY OF THE GENERAL LAWS IN FORCE THROUGH THE END OF THAT REGULAR**
 25 **SESSION.**

26 (2) ~~Before any copies of a volume of the compilation of the~~
 27 ~~Michigan administrative code are printed and bound or otherwise~~ **IS**

1 made available to the general public, ~~they shall be examined and~~
2 ~~compared by the office of regulatory reform~~ **PERFORMANCE AND**
3 **TRANSFORMATION SHALL EXAMINE THE MICHIGAN ADMINISTRATIVE CODE** and,
4 if in compliance with this act, the office of ~~regulatory reform~~
5 **PERFORMANCE AND TRANSFORMATION** shall ~~so certify~~. **DESIGNATE THE**
6 **ELECTRONIC COMPILATION AS OFFICIAL PURSUANT TO CHAPTER 1A OF THE**
7 **LEGISLATIVE COUNCIL ACT, 1988 PA 100, MCL 4.1121 TO 4.1131.**

8 (3) After the ~~certification~~, **DESIGNATION AS OFFICIAL UNDER**
9 **SUBSECTION (1) OR (2)**, the ~~compiled laws~~ **MICHIGAN COMPILED LAWS** and
10 ~~administrative rules shall be~~ **THE MICHIGAN ADMINISTRATIVE CODE, AS**
11 **APPROPRIATE, ARE** considered to be the official statutes and
12 administrative rules of this state and evidence in all courts
13 having jurisdiction. ~~The certification shall be printed in each~~
14 ~~volume~~. **AN INDIVIDUAL CONTESTING THE ACCURACY OF A COMPILATION OF**
15 **THE MICHIGAN COMPILED LAWS OR THE MICHIGAN ADMINISTRATIVE CODE**
16 **DESIGNATED AS OFFICIAL UNDER THIS SECTION HAS THE BURDEN OF PROVING**
17 **BY A PREPONDERANCE OF THE EVIDENCE THAT THE COMPILATION IS NOT**
18 **ACCURATE.**

19 Enacting section 1. This amendatory act does not take effect
20 unless Senate Bill No. ____ or House Bill No. 4779 (request no.
21 01664'17) of the 99th Legislature is enacted into law.