

LEGISLATIVE COUNCIL ACT (EXCERPT)

Act 268 of 1986

CHAPTER 5

SENATE FISCAL AGENCY.

4.1501 Senate fiscal agency; creation; purpose; government; availability of writings to public; confidentiality; definitions; employees as nontenured, at-will employees; discipline, transfer, demotion, suspension, or summary discharge of employee.

Sec. 501. (1) There is created a nonpartisan agency to be known as the senate fiscal agency to be of service to the appropriations committee of the senate and other members of the senate. The senate fiscal agency shall be governed by a board of 5 members, including the majority and minority leaders of the senate, the chairperson of the appropriations committee of the senate and 2 other members of the appropriations committee of the senate to be appointed by the chairperson of the appropriations committee with the concurrence of the majority leader of the senate, 1 from the minority party.

(2) Except as otherwise provided by subsection (3), a writing prepared, owned, used, in the possession of, or retained by the senate fiscal agency in the performance of an official function shall be made available to the public in compliance with the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(3) An employee of the agency shall not reveal to any person who is not an employee of the senate fiscal agency the contents or nature of any bill, substitute, amendment, resolution, special report, or proposal not yet published unless the employee has the consent of the member who is sponsoring or requesting the bill, substitute, amendment, resolution, special report, or proposal. A bill shall not be considered published until it is introduced. A substitute, an amendment, or a conference report shall be considered published when received by the secretary of the senate, clerk of the house of representatives, or both, as is appropriate. As used in this subsection:

(a) "Special report" means a report that is requested by a member of the senate to be prepared by the senate fiscal agency. A special report shall not be considered published until it is authorized for release by the member of the senate requesting the report.

(b) "Proposal" means a plan or an activity which is under consideration by a member of the senate. A proposal shall not be considered published until it is authorized for release by the member of the senate requesting the preparation of the proposal.

(4) Persons employed by the senate fiscal agency shall be nontenured, at-will employees. The governing board of the senate fiscal agency may discipline, transfer, demote, suspend, or summarily discharge an employee.

History: 1986, Act 268, Imd. Eff. Dec. 19, 1986.

4.1502 Senate Fiscal analysis; requirements.

Sec. 502. (1) The senate fiscal agency shall prepare, for each bill that is scheduled for a hearing before a standing committee of the senate, a fiscal analysis that contains all of the following:

(a) A summary that explains the changes the bill would make to existing law.

(b) An estimate of the potential impact or amount by which the bill would increase or decrease governmental revenues and expenditures, and which funds the bill would affect. If federal funding received by the state would be affected by the bill, the analysis must include an estimate of that effect.

(c) If the bill would increase or decrease state taxes or fees, the analysis may include an estimate of the impact on payers of the taxes or fees.

(d) Any other information the senate fiscal agency considers necessary to explain the fiscal effect of the bill including, but not limited to, potential impacts to local units of government.

(2) The senate fiscal agency shall provide the fiscal analysis prepared under subsection (1) to the clerk of the committee and to the public on the internet.

(3) The senate fiscal agency shall prepare a revised fiscal analysis, as necessary, that incorporates any change to a bill described in subsection (1).

History: Add. 2018, Act 340, Eff. Dec. 12, 2018.