



Romney Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

CHILDREN'S IMPACT STATEMENT

House Bills 4160 and 4161

Sponsor: Rep. Edward LaForge

Committee: Family and Children Services

Complete to 3-25-99

A SUMMARY OF HOUSE BILLS 4160 AND 4161 AS INTRODUCED 2-3-99

The bills would amend the Administrative Procedures Act and the Children's Ombudsman Act to require that a "children's impact statement" be prepared when rules or legislation that would affect children are proposed.

House Bill 4160 would add a new section to the Children's Ombudsman Act (MCL 722.926a) to require that the ombudsman prepare a preliminary "children's impact statement" when requested to do so by a standing House or Senate committee to which a bill affecting children had been referred. The preliminary statement would have to be prepared and delivered to the committee members no later than 30 days after the request was received. In addition, the ombudsman would have to prepare and deliver a children's impact statement no later than 30 days after a bill affecting children had passed the first house of the legislature. The statement would have to be delivered to the Senate Majority Leader, Senate Minority Leader, Speaker of the House, and House Minority Leader. The following information would have to be included in the statement: the change to current law or additional law being proposed in the bill; the effect the proposed law would have on children and their families; and any other information relating to that bill that the ombudsman considered appropriate.

House Bill 4161. The Administrative Procedures Act (MCL 24.245) requires that, after the Legislative Service Bureau and the attorney general have approved a rule and it has been published in the Michigan Register, the agency proposing the rule submit a letter of transmittal, together with a regulatory impact statement, to the Joint Committee on Administrative Rules that provides estimates of the rule's impact upon that agency and any other entity that it might affect. Rules promulgated under the Michigan Occupational Safety and Health Act (MIOSHA) are exempt from this requirement. House Bill 4161 would amend the act to specify that the regulatory impact statement include an estimate of its impact upon children and their families in the state who might be affected by the proposed rule.

Children's Impact Statement. The bill would also specify that if the regulatory impact statement disclosed an impact on children, a "children's impact statement" would have to be included with the letter of transmittal in a form prescribed by the committee. The statement would have to contain the purpose of the proposed rule, the effect it would have on children and their

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families, and any other information the agency considered appropriate. The agency would also have to transmit a copy of the "children's impact statement" to the Office of Children's Ombudsman. The ombudsman would be required to review the statement and to notify the committee of any additional information pertinent to the committee's review within 30 days. These provisions would not apply to rules promulgated under the MIOSHA.

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.