



**Senate Fiscal Agency**  
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BILL ANALYSIS



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Senate Bill 962 (Substitute S-1 as reported)  
Sponsor: Senator Jim Stamas  
Committee: Oversight

**CONTENT**

The bill would amend the Administrative Procedures Act to do the following regarding the promulgation of administrative rules:

- Allow the Joint Committee on Administrative Rules (JCAR), within 15 session days after receiving a proposed rule, to object to the rule (as currently provided), propose that the rule be changed, or decide to introduce bills to enact the subject of the rule.
- Require the agency proposing the rule, if JCAR proposed to change it, either to change and resubmit the rule or to notify JCAR of its decision not to change the rule.
- Give JCAR 15 session days to take one of the actions it could take after receiving a proposed rule, if the agency decided not to change a rule that JCAR proposed to change.
- Require the Office of Performance and Transformation (OPT), if an agency decided to change a proposed rule, to determine whether the regulatory impact or impact on small businesses of the changed rule would be more burdensome than the impact of the rule originally proposed.
- Require the agency, after receiving the OPT's determination, to prepare a supplement to the report that the agency is required to prepare.
- Require the agency to prepare a new agency report and hold a new public hearing, if the OPT determined that the impact of a changed rule would be more burdensome than the impact of the original proposed rule.
- Provide that the language of a bill introduced to enact a proposed rule would not have to be identical to the language of the rule.
- Require the Legislative Service Bureau to give priority to the preparation of the bills, if JCAR decided to introduce bills to enact the subject of a proposed rule.
- Provide that, if JCAR introduced bills to enact the subject of a rule, the rule could not be filed with the Secretary of State until one year after the legislation was introduced.

The bill would take effect on January 1, 2017.

MCL 24.205 et al.

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Date Completed: 6-9-16

Fiscal Analyst: Joe Carrasco