



STATE OF MICHIGAN
DEPARTMENT OF TREASURY

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

DATE: June 29, 2021

TO: Katie Wienczewski, Deidre O’Berry, and Katelyn Hoppes
Administrative Rules Division
Michigan Office of Administrative Hearings and Rules

FROM: Michigan Department of Treasury

SUBJECT: Department of Treasury Annual Regulatory Plan for July 1, 2021 – June 30, 2022

Pursuant to MCL 24.253, the Michigan Department of Treasury (Treasury) submits its Annual Regulatory Plan for July 1, 2021 through June 30, 2022.

List of Bureaus and Commissions that Do Not Administer Rules

Bureau of Budget & Information Technology Management

Bureau of Investments

Collections Services Bureau

Financial Review Commission

Michigan Infrastructure Council

Office of Accounting Services

Office of Legislative Affairs

Office of Privacy and Security

Office of Revenue and Tax Analysis

Tax Administration Services Bureau

Tax Compliance Bureau

The following 8 bureaus have completed their templates regarding contemplated or in-process action on administrative rules. Each template has been compiled into Treasury’s Plan.

Bureau of Local Government and School Services

Bureau of State and Authority Finance

Bureau of State Lottery

Bureau of Tax Policy

Michigan Gaming Control Board

Office of Departmental Services

Office of Financial Services

Office of Postsecondary Financial Planning

**Department of Treasury
Bureau of Local Government and School Services**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

None

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

None

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Bureau of Local Government and School Services has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules have been identified that are most problematic to industry.

- A. Whether there is a continued need for the rules.

- B. A summary of any complaints or comments received from the public concerning the rules.

- C. The complexity of complying with the rules.

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

Direct link to the Michigan Office of Administrative Hearings and Rules (MOAHR) provided on Treasury's internet website.

6. Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

None

**Department of Treasury
Bureau of State and Authority Finance**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

Amend School Bond Qualification, Approval, and Loan Rules: R 388.2, R 388.3, R 388.11, R 388.12 and R 388.13 to reduce duplicity from the statute.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

Rescind School Bond Qualification, Approval, and Loan Rules: R 388.6, R 388.10 and R 388.20 to reduce duplicity from the statute.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Bureau of State and Authority Finance has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules have been identified that are most problematic to the industry.

- A. Whether there is a continued need for the rules.

- B. A summary of any complaints or comments received from the public concerning the rules.

- C. The complexity of complying with the rules.

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

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6. Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

MOAHR #2020-104 TY School Bond Qualification, Approval, And Loan
Amendments to the School Bond Qualification, Approval, and Loan Rules are in the promulgation process.

**Department of Treasury
Bureau of State Lottery**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

Lottery Rules – The Bureau of State Lottery is continuing the process of reviewing our rules and could potentially have changes during the July 1, 2021-June 30, 2022 period.

Charitable Gaming Rules – The Bureau of State Lottery is continuing the process of reviewing the rules and could potentially have changes during the July 1, 2021-June 30, 2022 period.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

Lottery Rules – We are continuing the process of reviewing our rules and could potentially have changes during the July 1, 2020-June 30, 2021 period.

Charitable Gaming Rules - The MOAHR 2020-84 TY Charitable Gaming Rule amendments are in the promulgation process and could potentially have changes during the July 1, 2021-June 30, 2022 period.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Bureau of State Lottery has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

Lottery Rules – No rules have been identified that are most problematic to industry.

Charitable Gaming Rules – No rules have been identified that are most problematic to industry.

- A. Whether there is a continued need for the rules.

- B. A summary of any complaints or comments received from the public concerning the rules.

- C. The complexity of complying with the rules.

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

5. Please provide the URL link the department or bureau is currently using to display their administrative rules.

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6. Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

2020-84 TY Charitable Gaming Rules
Amendments to the Charitable Gaming Rules are in the promulgation process.

**Department of Treasury
Bureau of Tax Policy**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

Amendment of General and Specific Sales and Use Tax Rules R 205.1 through R 205.141

Review of all current General and Specific Sales and Use Tax Rules is finished and drafting of preliminary amendments and rescission of identified rules is completed. Preliminary draft of amended and rescinded rules is under review by interested stakeholders prior to request for rulemaking.

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

Review of all current General and Specific Sales and Use Tax Rules has resulted in the proposed rescission of all rules that are obsolete or superseded.

The remaining Cigarette Tax Rules R 205.402, R 205.403, R 205.405, R 205.407, R 205.409, and R 205.416 are being reviewed for possible rescission.

Income Tax Rules R 206.1 and R 206.17 are being considered for rescission.

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Bureau of Tax Policy has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules have been identified that are most problematic to industry.

- A. Whether there is a continued need for the rules.

- B. A summary of any complaints or comments received from the public concerning the rules.

- C. The complexity of complying with the rules.

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

- E.** The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

- 5.** Please provide the URL link the department or bureau is currently using to display their administrative rules.

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- 6.** Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

The remaining Cigarette Tax Rules-R 205.402, R 205.403, R 205.405, R 205.407, R 205.409, and R 205.416 and Income Tax Rules R 206.1 and R 206.17 are being considered for rescission.

**Department of Treasury
Michigan Gaming Control Board**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

2020-11 TY Fantasy Contests (New rule set)
Millionaire Party - R 432.101 to R 432.410 (Revise to address changes to the Bingo Act)
Casino Gaming - R 432.1101 to R 432.11602 (Revise to address changes to the Gaming Control & Revenue Act)

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

None

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Gaming Control Board has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

None

- A. Whether there is a continued need for the rules.

N/A

- B. A summary of any complaints or comments received from the public concerning the rules.

N/A

- C. The complexity of complying with the rules.

N/A

- D. Whether the rules conflict with or duplicate similar rules or regulations adopted by the federal government or local units of government.

N/A

- E. The date of the last evaluation of the rules and the degree, if any, to which technology, economic conditions, or other factors have changed regulatory activity covered by the rules.

N/A

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Completed: 2020-038-TY Horse Racing General Rules; 2020-09 TY Internet Sports Betting; 2020-10 TY Internet Gaming
Outstanding: 2020-11 TY Fantasy Contests; Millionaire Party; Casino Gaming

**Department of Treasury
Office of Departmental Services**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

None

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

None

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Office of Departmental Services has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules have been identified that are most problematic to industry.

- A. Whether there is a continued need for the rules.

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6. Please provide a list of the items identified for action in the 2021 ARP that have been completed and those that remain outstanding.

None

**Department of Treasury
Office of Financial Services**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

None

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

None

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Office of Financial Services has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules have been identified that are most problematic to industry.

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None

**Department of Treasury
Office of Postsecondary Financial Planning**

1. Rule(s) to be **processed** between July 1, 2021 and June 30, 2022. [Give brief description.]

None

2. Rules that are obsolete or superseded and can be **rescinded** between July 1, 2021 and June 30, 2022. Also, please identify the rules or rule sets that are least important to the mission and function of the agency, or are otherwise strong candidates for rescission.

None

3. Has the agency failed to promulgate any statutorily required rules **or** failed to utilize any statutorily required rules? Please explain.

No, the Office of Postsecondary Financial Planning has not failed to promulgate any statutorily required rules or failed to utilize any statutorily required rules.

4. Please indicate the rules that are most problematic to industry and could be reviewed to determine the most business-friendly method of regulation.

No rules have been identified that are most problematic to industry.

- A. Whether there is a continued need for the rules.

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