

Michigan Office of Administrative Hearings and Rules

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**AGENCY REPORT TO THE
JOINT COMMITTEE ON ADMINISTRATIVE RULES (JCAR)**

1. Agency Information

Agency name:

Attorney General

Division/Bureau/Office:

Public Administration Division

Name of person completing this form:

Bethany McCune

Phone number of person completing this form:

517-241-0210

E-mail of person completing this form:

mccuneb@michigan.gov

Name of Department Regulatory Affairs Officer reviewing this form:

Bethany McCune

2. Rule Set Information

MOAHR assigned rule set number:

2021-34 AG

Title of proposed rule set:

Financial Exploitation Prevention Act

3. Purpose for the proposed rules and background:

The purpose of these rules is to proscribe methods for notifying the county prosecutor of suspected or detected covered financial exploitation observed by a financial institution, as provided in subsection 5 (5) and subsection 5(6) of the Financial Exploitation Prevention Act (2020 PA 344).

4. Summary of proposed rules:

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The rules are designed to provide a standardized method for law enforcement, adult protective services, and financial institutions to provide notice of reports of suspected or detected covered financial exploitation made by financial institutions to the county prosecutor. The rules provide forms with a description of required content that shall be included in notifications to the county prosecutor and provide guidelines for financial institutions to determine in which county to contact the county prosecutor and how to obtain contact information for each prosecutor’s office. They also seek to avoid confusion when multiple law enforcement agencies receive copies of a single notification from a financial institution by requiring each law enforcement agency that receives a copy to make a report to the county prosecutor’s office. The rules are designed to create the least burdensome alternative for those required to comply, as the required notification forms are each only a single page which permits reports already required to be generated in the ordinary course of business by the agencies making the notifications as attachments.

5. List names of newspapers in which the notice of public hearing was published and publication dates:

Alpena News Publishing Company (The Alpena News) June 17, 2021; Daily News Greenville (The Daily News) June 17, 2021; The Mining Journal June 17, 2021; and Traverse City Record Eagle (The Traverse City Record-Eagle) June 17, 2021

6. Date of publication of rules and notice of public hearing in Michigan Register:

7/1/2021

7. Date, time, and location of public hearing:

7/7/2021 01:00 PM at Williams Building - 1st Floor Auditorium , Michigan Department of Attorney General, 525 W. Ottawa Street, 1st floor, Lansing, MI 48933

8. Provide the link the agency used to post the regulatory impact statement and cost-benefit analysis on its website:

<https://ARS.apps.lara.state.mi.us/Transaction/RFRTransaction?TransactionID=1292>

9. List of the name and title of agency representative(s) attending public hearing:

Kristen Stinedurf, First Assistant, Financial Crimes Division, Department of Attorney General

10. Persons submitting comments of support:

No comments were submitted.

11. Persons submitting comments of opposition:

No comments were submitted.

12. Identify any changes made to the proposed rules based on comments received during the public comment period:

	Name & Organization	Comments made at public hearing	Written Comments	Agency Rationale for change	Rule number & citation changed
1					

13.Date report completed:

7/8/2021