

Legislative Analysis



RULES ABOUT INMATES

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House Bill 5970

Sponsor: Rep. William Van Regenmorter

House Bill 5971

Sponsor: Rep. Daniel Acciavatti

Committee: Judiciary

Complete to 5-16-06

A SUMMARY OF HOUSE BILLS 5970 AND 5971 AS INTRODUCED 4-25-06

The bills would amend the Administrative Procedures Act (MCL 24.207 et al.) in the following ways.

** House Bill 5971 would specify that the public hearing notice requirements found in Sections 41 and 42 of the act would not apply to a rule or policy that only concerns the inmates of a state correctional facility and does not directly affect other members of the public.

** House Bill 5971 would also amend Section 38, which allows a person to request a state agency to promulgate a rule and establishes a procedure for the agency to follow in dealing with a request. The bill would not allow a person to request a state agency to promulgate a rule or policy that only concerns the inmates of a state correctional facility and does not directly affect other members of the public.

** Both bills would amend Section 7 to strike language that currently excludes from the definition of a rule "a rule or policy that only concerns the inmates of a state correctional facility and does not directly affect other members of the public."

** Both bills would amend Section 7 to specify that "a policy directive" is not a rule.

FISCAL IMPACT:

A fiscal analysis is in process.

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■ 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.