

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Rep. Caswell

ENROLLED HOUSE BILL No. 5744

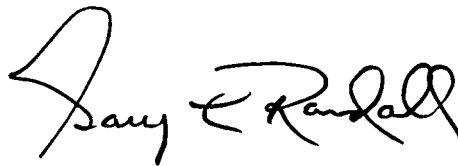
AN ACT to amend 1974 PA 258, entitled "An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending sections 114 and 114a (MCL 330.1114 and 330.1114a), section 114 as amended and section 114a as added by 1995 PA 290.

The People of the State of Michigan enact:

Sec. 114. (1) Subject to section 114a, as provided in section 9 of the executive organization act of 1965, 1965 PA 380, MCL 16.109, the director may promulgate rules as necessary to carry out the functions vested in the department.

(2) A rule promulgated under this act or an exception to a rule promulgated under this act shall not discriminate in favor of or against any provider, facility, or employer licensed under this act based on the presence of, or lack of, a collective bargaining agreement with employees, nor shall collective bargaining status, level of wages, or fringe benefits be used to demonstrate or excuse compliance with state licensing or regulatory standards or requirements.

Sec. 114a. A rule promulgated under this act or an exception to a rule promulgated under this act shall not discriminate in favor of or against any provider, facility, or employer licensed under this act based on the presence of, or lack of, a collective bargaining agreement with employees, nor shall collective bargaining status, level of wages, or fringe benefits be used to demonstrate or excuse compliance with state licensing or regulatory standards or requirements.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor