



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 13 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Bill Hardiman
Committee: Government Operations and Reform

CONTENT

The bill would amend the Administrative Procedures Act to require a regulatory impact statement prepared by an agency proposing a rule, to include the following:

- A comparison of the proposed rule to standards in other states in the Great Lakes region, and a statement of whether the rule exceeded those standards.
- An identification of the methodology used in determining the existence and extent of the impact of the proposed rule and a cost-benefit analysis.
- A detailed recitation of the agency's efforts to reduce the disproportionate impact of the rule on small businesses.

The bill also would require an agency to publish a regulatory impact statement on its website at least 10 days before the public hearing on the rule, and to include a request for rule-making in its agency report.

In addition, the bill would require the State Office of Administrative Hearings and Rules (SOAHR) to post the following on its website: the regulatory impact statement prepared by an agency; instructions on any existing administrative remedies or appeals available to the public; instructions regarding the method of complying with the rules, if available; and any rules filed with the Secretary of State and their effective dates. The bill would require SOAHR to facilitate linking this information to the department or agency website.

The bill is tie-barred to Senate Bills 431 and 434, which would amend the Act to prohibit the promulgation of a rule that was more stringent than Federal standards, and make other changes to the Act.

MCL 24.245

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

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

Date Completed: 6-17-09

Fiscal Analyst: Bill Bowerman