

Legislative Analysis



POSTMARK ACKNOWLEDGMENT ACT

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4387 as introduced
Sponsor: Rep. Holly Hughes
Committee: Regulatory Reform
Complete to 5-23-17

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

If a state regulatory agency requires a regulated person to submit information through the U.S. mail, the bill would, with some exceptions, require the agency *to acknowledge the postmark date as the date of receipt* (rather than the actual date the information was delivered to or opened by the agency). The bill also authorizes the promulgation of rules to implement the new act. The bill would take effect 60 days after enactment.

Specifically, House Bill 4387 creates the Postmark Acknowledgment Act to require—except as otherwise provided for by law—state departments and regulatory agencies to accept and acknowledge the postmark date as the date of receipt of an information submission made by a regulated person.

"Information submission" is defined in the bill to mean information required to be submitted by a regulated person to a regulatory agency through use of the United States Postal Service.

"Regulated person" would mean an individual or legal entity subject to the authority of a regulatory agency.

"Regulatory agency" is defined to mean a State of Michigan department, bureau, or agency that has statutory regulatory authority over activities of an individual, business, profession, or industry.

Except as otherwise provided by law, a regulatory agency could promulgate rules or amend existing rules under provisions of the Administrative Procedures Act to implement the Postmark Acknowledgment Act.

FISCAL IMPACT:

A fiscal analysis is in process.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.