COMPILATION OF LAWS AND RULES
Act 193 of 1970

AN ACT to provide for the compilation of the general laws of this state and the compilation and revision of state administrative rules; and to prescribe certain functions of the legislative council and certain state agencies relative thereto.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

The People of the State of Michigan enact:

8.41 Compilations of laws and compilation of rules; legislative council; office of performance and transformation; duties.

Sec. 1. (1) The legislative council shall provide for the compilation of all general laws in force and shall make this compilation available to the general public.

(2) The office of performance and transformation shall provide for the compilation of administrative rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, and shall make this compilation available to the general public.

(3) The legislative council shall do all of the following in a compilation under subsection (1):

(a) Arrange the general laws without alteration.

(b) Provide appropriate headings and titles.

(c) Provide for an index or means of searching the compilation.

(d) Include any notes, references, and other materials the council considers necessary or appropriate.

(e) Include the date that the compilation was last designated as official under section 7.

(f) Identify the most recent public act included in the compilation.

(4) The office of performance and transformation shall do all of the following in a compilation under subsection (2):

(a) Arrange the administrative rules without alteration.

(b) Provide appropriate headings and titles.

(c) Provide for an index or a means of searching the compilation.

(d) Include any notes, references, and other materials the office of performance and transformation considers necessary or appropriate.

(5) The legislative council shall determine all matters concerning the format and content of the compilation under subsection (1) and the manner in which the compilation is made available to the general public.

(6) The office of performance and transformation shall determine all matters concerning the format and content of the compilation under subsection (2) and the manner in which the compilation is made available to the general public.

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History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000;—Am. 2018, Act 655, Eff. Mar. 29, 2019.

Compiler's note: For the transfer of powers and duties of the office of performance and transformation under the administrative procedures act of 1969, 1969 PA 306, to the Michigan office of administrative hearings and rules, and abolishment of the Michigan administrative hearings system, office of regulatory reinvention, and office of performance and transformation, see E.R.O. 2019-1, compiled at 324.99923.

8.42 Administrative code; revision, procedure.

Sec. 2. (1) The office of regulatory reform shall provide for an orderly revision of the Michigan administrative code.

(2) Personnel working on the revision and the agency whose rules are being revised shall cooperate in the revision, but the decision of the revisers shall govern subject to review by the office of regulatory reform when requested by the agency.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

8.43 Administrative code; revision; purpose.

Sec. 3. The revision of the Michigan administrative code shall clarify, simplify, and shorten rules while retaining their substance, sense, and meaning. The revision may include the following:

(a) Adopt a uniform system of style, printing, punctuation, capitalization, spelling, and wording; eliminate obsolete and redundant words; eliminate duplications and rules rescinded indirectly or by implication; and clarify rules.

(b) Change headings, subheadings, authority paragraphs, and catchlines, rearrange rules, change reference numbers or words to correct the references, substitute figures for written words, and correct obvious clerical,

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typographical, and grammatical errors, inaccuracies, inconsistencies, and omissions.

(c) Renumber rules and parts of rules, transfer rules, and divide or combine rules so as to give to distinct subject matters a separate rule number.

(d) Substitute the name of an officer, agency, or instrumentality, in which functions are currently vested, for the name of any other officer, agency, or instrumentality formerly vested with the same or similar functions.

(e) Omit temporary, emergency, and rescinding rules if a note indicates the nature and latest location in the Michigan administrative code of the omitted material.

(f) Modernize language to correspond to current drafting style for administrative rules.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

8.44 Revised rules; publication; certificate.

Sec. 4. A revised rule is not subject to the requirements of the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, pertaining to the processing and filing of a rule. It shall be published in the next interim or annual supplement to the Michigan administrative code, or both, or republication of the Michigan administrative code with a certificate of the office of regulatory reform, which may cover all of the revisions in the particular publication. The certificate shall indicate that the revised rules are a revision, without change in substance, of certain identified administrative rules and that the revision has been made in accordance with applicable law. The rule when so printed shall constitute a part of the Michigan administrative code in place of the text which was revised.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

8.45 Contracts; supervision.

Sec. 5. (1) The council, in the case of the compiled laws, and the office of regulatory reform, in the case of rules, may enter into 1 or more contracts or provide for editorial work, printing, binding, indexing, and other work that it considers necessary and may provide that the compilations be privately printed and published and sold and distributed by the publishers on terms as the council and office of regulatory reform may prescribe.

(2) The work of preparing, editing, indexing, and publishing the compiled laws shall be under the direction and supervision of the council and the work of preparing, editing, indexing, and publishing the Michigan administrative code shall be under the supervision of the office of regulatory reform.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

8.46 Republications; supplements.

Sec. 6. The council, in the case of the compiled laws, and the office of regulatory reform, in the case of the Michigan administrative code, may enter into 1 or more contracts or provide for the preparation and publication of subsequent editions and cumulative or other supplements. The contracts as to supplements may be awarded for a period of not more than 10 years under such terms as prescribed by the council, in the case of the compiled laws, and as prescribed by the office of regulatory reform, in the case of the Michigan administrative code.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

8.47 Electronic compilation of compiled laws and rules; designate as official; contesting accuracy.

Sec. 7. (1) Not later than 180 days after the effective date of the 2018 amendatory act that amended this section, the legislative council shall examine the electronic compilation of the Michigan Compiled Laws and, if in compliance with this act, the legislative council shall designate the electronic compilation as official pursuant to chapter 1A of the legislative council act, 1986 PA 268, MCL 4.1121 to 4.1131. In addition, after the final adjournment of a regular session held in an even-numbered year, the legislative council shall authenticate that the compilation of the Michigan Compiled Laws is an accurate copy of the general laws in force through the end of that regular session.

(2) Before the compilation of the Michigan Administrative Code is made available to the general public, the office of performance and transformation shall examine the Michigan Administrative Code and, if in compliance with this act, the office of performance and transformation shall designate the electronic compilation as official pursuant to chapter 1A of the legislative council act, 1986 PA 286, MCL 4.1121 to 4.1131.

(3) After the designation as official under subsection (1) or (2), the Michigan Compiled Laws and the Michigan Administrative Code, as appropriate, are considered to be the official statutes and administrative rules of this state and evidence in all courts having jurisdiction. An individual contesting the accuracy of a

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compilation of the Michigan Compiled Laws or the Michigan Administrative Code designated as official under this section has the burden of proving by a preponderance of the evidence that the compilation is not accurate.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000;—Am. 2018, Act 655, Eff. Mar. 29, 2019.

Compiler's note: For the transfer of powers and duties of the office of performance and transformation under the administrative procedures act of 1969, 1969 PA 306, to the Michigan office of administrative hearings and rules, and abolishment of the Michigan administrative hearings system, office of regulatory reinvention, and office of performance and transformation, see E.R.O. 2019-1, compiled at 324.99923.

8.48 Compiled laws and administrative code; purchase; distribution.

Sec. 8. The council shall purchase a sufficient number of sets of the compiled laws and the office of regulatory reform shall purchase a sufficient number of sets of the Michigan administrative code to be distributed in the manner provided by law.

History: 1970, Act 193, Imd. Eff. Aug. 6, 1970;—Am. 1999, Act 263, Eff. Apr. 1, 2000.

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