

ADMINISTRATIVE PROCEDURES ACT OF 1969 (EXCERPT)
Act 306 of 1969

***** 24.242.amended THIS AMENDED SECTION IS EFFECTIVE 91 DAYS AFTER ADJOURNMENT OF
THE 2024 REGULAR SESSION SINE DIE *****

24.242.amended Notice of public hearing; publication requirements; submission of copy to office; publication of notice in Michigan Register; distribution of copies of notice of public hearing; meeting of joint committee on administrative rules.

Sec. 42. (1) Except as provided in section 44, at a minimum, an agency, or the office acting on behalf of the agency, shall publish the notice of public hearing as prescribed in any applicable statute or, if none, the agency, or the office acting on behalf of the agency, shall publish the notice not less than 10 days and not more than 60 days before the date of the public hearing in not less than 3 newspapers of general circulation in different parts of this state, 1 of which must be in the Upper Peninsula.

(2) Additional methods that may be employed to provide notice of the public hearing include publication in trade, industry, governmental, or professional publications or posting on the website of the agency or the office.

(3) In addition to the requirements of subsection (1), the agency shall electronically submit a copy of the notice of public hearing to the office for publication in the Michigan Register. If the office submitted the notice of public hearing on behalf of the agency, the office shall publish the notice of public hearing in the Michigan Register. An agency's notice must be published in the Michigan Register before the public hearing and the agency shall electronically file a copy of the notice of public hearing with the office. Within 7 days after receipt of the notice of public hearing and before the public hearing, the office shall do all of the following:

- (a) Electronically transmit a copy of the notice of public hearing to the committee.
- (b) Provide notice electronically through publicly accessible internet media.

(4) After the office electronically transmits a copy of the notice of public hearing to the committee, the committee shall electronically transmit copies of the notice of public hearing, not later than the next business day after receipt of the notice from the office, to each member of the committee and the members of the standing committees of the senate and house of representatives that deal with the subject matter of the proposed rule.

(5) After receipt of the notice of public hearing filed under subsection (3), the committee may meet to consider the proposed rule, take testimony, and provide the agency with the committee's informal response to the rule.

History: 1969, Act 306, Eff. July 1, 1970;—Am. 1982, Act 413, Eff. Jan. 1, 1984;—Am. 1986, Act 292, Imd. Eff. Dec. 22, 1986;—Am. 1989, Act 288, Imd. Eff. Dec. 26, 1989;—Am. 1993, Act 141, Imd. Eff. Aug. 4, 1993;—Am. 1999, Act 262, Eff. Apr. 1, 2000;—Am. 2004, Act 23, Imd. Eff. Mar. 10, 2004;—Am. 2004, Act 491, Eff. Jan. 12, 2005;—Am. 2018, Act 267, Imd. Eff. June 29, 2018;—Am. 2024, Act 9, Eff. (sine die).

Compiler's note: Enacting section 2 of Act 491 of 2004 provides:

"Enacting section 2. This amendatory act applies to rules transmitted to the joint committee on administrative rules on or after January 12, 2005. Rules transmitted to the joint committee on administrative rules before January 12, 2005, shall be processed according to the act as it existed before January 12, 2005."

Popular name: Act 306

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