

Act No. 161
Public Acts of 2019
Approved by the Governor
December 20, 2019

Filed with the Secretary of State
December 20, 2019

EFFECTIVE DATE: December 20, 2019

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2019**

Introduced by Reps. Hernandez, Frederick and VanWoerkom

ENROLLED HOUSE BILL No. 5176

AN ACT to amend 1921 PA 2, entitled “An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred,” by amending section 3 (MCL 17.3).

The People of the State of Michigan enact:

Sec. 3. (1) The state administrative board shall exercise general supervisory control over the functions and activities of all administrative departments, boards, commissioners, and officers of the state, and of all state institutions.

(2) Except as provided in subsection (5), the state administrative board shall not have power to transfer any appropriation to the general fund at any time or use the same for any purpose other than that designated by the legislature.

(3) The state administrative board shall not have power to allow to any state department, board, commission, officer, or institution any funds, not appropriated therefor by the legislature, from any source whatever, except as provided in the emergency appropriation act of 1931.

(4) Except as provided in subsection (5), the state administrative board shall not have the power to transfer to any state department, board, commission, officer, or institution any sum from the amount appropriated by the legislature for any other purpose.

(5) The state administrative board may inter-transfer funds within the appropriation for a particular department, board, commission, officer, or institution. If the inter-transfer of funds could otherwise be accomplished through the transfer process under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393, the state administrative board may carry out the inter-transfer only if both of the following requirements have been met:

(a) The state budget director has first requested the approval of or given notice to, as applicable, the senate and house of representatives appropriations committees regarding the inter-transfer of funds under section 393 of the management and budget act, 1984 PA 431, MCL 18.1393.

(b) The request to inter-transfer funds made under subdivision (a) has not been approved by both appropriations committees by whichever of the following dates is the earliest:

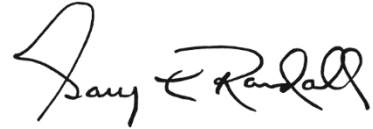
(i) Six session days after the request was made.

(ii) Thirty calendar days after the first session day after the request was made.

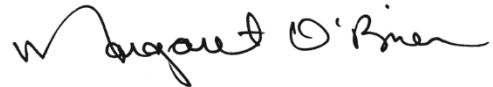
(6) The state administrative board may in its discretion intervene in any matter touching the functions and activities under this section and may, by resolution or order, advise or direct the department, board, commission, officer, or institution concerned as to the manner in which the function or other activity shall be performed, and may order an interchange or transfer of employees between departments, boards, commissions, and state institutions when necessary. It is hereby made the duty of each and every official and employee connected with any administrative department, office, or institution of the state to follow the direction or order so given; and to perform such services in the carrying out of the purposes and intent of this act as may be required by the board. Failure so to do shall be deemed to constitute malfeasance in office and shall be sufficient cause for removal.

(7) As used in this section, "session day" means a day on which both the senate and the house of representatives convene in session.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor