

SENATE BILL NO. 622

October 22, 2025, Introduced by Senators CAVANAGH, CHANG, GEISS, SHINK and BAYER
and referred to Committee on Labor.

A bill to amend 1974 PA 154, entitled
"Michigan occupational safety and health act,"
by amending section 14 (MCL 408.1014), as amended by 2020 PA 143.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 14. (1) Except as otherwise provided in subsection (3),
2 the occupational safety and health standards that have been adopted
3 or promulgated by the United States Department of Labor under the
4 occupational safety and health act of 1970, Public Law 91-596, 84
5 Stat 1590, and that are in effect on January 1, 1975 are
6 incorporated by reference and have the same force and effect as a

1 rule promulgated ~~pursuant to~~**under** this act. A standard that is
2 incorporated by reference ~~pursuant to~~**under** this subsection remains
3 in effect until either of the following conditions occurs:

4 (a) A standard is promulgated ~~pursuant to~~**under** this act that
5 covers the same or a similar subject.

6 (b) The standard is rescinded by rule promulgated ~~pursuant to~~
7 **under** this act.

8 (2) If a rule or standard that is continued ~~pursuant to~~**under**
9 section 24(1) conflicts with or covers the same or similar subject
10 as a standard incorporated by reference ~~pursuant to~~**under**
11 subsection (1), the federal standard incorporated by reference
12 governs and the state rule or standard continued ~~pursuant to~~**under**
13 section 24(1) ~~shall~~**must** be rescinded.

14 (3) If a rule or standard that is continued in effect under
15 this act ~~pursuant to~~**under** section 21(1) covers the same subject as
16 a federal standard, subsection (1) does not apply.

17 (4) The department of licensing and regulatory affairs shall
18 make copies of the standards incorporated by reference ~~pursuant to~~
19 **under** subsection (1) available to the public at cost.

20 (5) Beginning April 1, 1992, not later than 10 working days
21 after the date that the United States Department of Labor adopts or
22 promulgates an occupational safety and health standard under the
23 occupational safety and health act of 1970, Public Law 91-596, 84
24 Stat 1590, the director shall initiate the processing of an
25 administrative rule that is substantially similar to the federal
26 occupational safety and health standard. The proposed
27 administrative rule ~~shall~~**must** be presented to the joint committee
28 on administrative rules unless the director determines that the
29 federal standard is clearly inconsistent with the criteria set

1 forth in section 9, 16, 19, or 24.

2 (6) Beginning April 1, 1992, a proposed administrative rule
3 that would address a matter not addressed by 1 or more federal
4 standards ~~shall~~**must** not be processed and presented to the joint
5 committee on administrative rules unless the director determines
6 that there is a ~~clear and convincing~~ need for the standard to meet
7 the criteria set forth, as appropriate, in sections 9, 16, 19, and
8 24. The director shall include a statement of the specific facts
9 that establish the ~~clear and convincing~~ need when processing and
10 presenting the administrative rule. The statement ~~shall either~~**must**
11 explain the unique characteristics of industry in this state that
12 necessitate the standard. ~~or demonstrate that the standard was~~
13 ~~requested by a broad consensus of union and nonunion employers and~~
14 ~~employees in the specific industry affected by the standard.~~

15 (7) The administrative rules described in subsections (5) and
16 (6) ~~shall~~**must** be promulgated ~~pursuant to~~**under** the administrative
17 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

18 (8) ~~This section does~~ **Subsections (5) and (6) do** not apply to
19 section 14r.