

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978
Part 252
SAVINGS CLAUSES AND EFFECTIVE DATES

333.25201 Continuation of statutory provisions and rules; submission of proposed rules to public hearing; nomination and appointment of agency members.

Sec. 25201.

(1) Where a section of this code authorizes or directs the promulgation of rules, including rules fixing fees, but rules dealing with the subject matter do not exist when the section takes effect, a statutory provision covering the matter, which is repealed by this code, shall nevertheless continue in effect until rules covering the matter take effect or for 3 years, whichever is sooner.

(2) Rules in effect on the effective date of this code shall continue to the extent that they do not conflict with this code, and shall be considered as rules promulgated under this code.

(3) An agency which is required to promulgate rules under this code shall submit the proposed rules to public hearing within 2 years after the effective date of this code.

(4) Rules and regulations adopted by a district or county board of health which are in effect on the effective date prescribed in section 25211 continue to the extent that they do not conflict with this code, and are considered as local health department regulations promulgated under this code.

(5) On the date this code is enacted into law procedures for the nomination and appointment of members of agencies created or continued by this code may be commenced, but the appointments shall not take effect before the effective date of the section providing for the appointment.

History: 1978, Act 368, Eff. Sept. 30, 1978

Popular Name: Act 368

333.25205 Section 8.4a inapplicable to code; action or other proceeding not abated.

Sec. 25205.

Section 4a of chapter 1 of the Revised Statutes of 1846, being section 8.4a of the Michigan Compiled Laws, is applicable to this code. In addition, an action or other proceeding lawfully commenced by or against an agency or an officer of this state, in his or her official capacity in relation to the discharge of official duties, including a proceeding against a licensee, registrant, or permittee, does not abate because the agency or officer is superseded by another agency or office created by this code. The court may allow the action or other proceeding to be maintained by or against the successor of the agency or officer.

History: 1978, Act 368, Eff. Sept. 30, 1978

Popular Name: Act 368

333.25211 Effective date of code; exceptions; promulgation of rules authorized by code.

Sec. 25211.

(1) Except as specific provisions of this code may provide otherwise, this code takes effect on September 30, 1978.

(2) On the date this code is enacted into law, procedures and actions required for the rule-making process pursuant to the administrative procedures act of 1969 may be commenced, but the rules authorized by this code shall not be promulgated until on or after the effective date set forth in subsection (1) or the effective date applicable to the section of this code under which the rules are promulgated.

History: 1978, Act 368, Eff. Sept. 30, 1978
Popular Name: Act 368