RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
EXECUTIVE OFFICE
LANSING

BRIAN CALLEY
LT. GOVERNOR

# EXECUTIVE ORDER
# No. 2014 – 5

## CHILD PROTECTION REGISTRY

## MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
## MICHIGAN DEPARTMENT OF STATE

## EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power in the Governor; and

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, there is a continued need to reorganize the functions among state Departments for efficient administration; and

WHEREAS, programs, agencies, and commissions should be placed among the principal departments on a consistent, logical basis in order to ensure the most efficient use of public dollars and more streamlined services; and

WHEREAS, the Michigan Children's Protection Registry Act, 2004 PA 241, MCL 752.1061 et seq., was created to establish the computer crime of sending certain electronic messages to minors; create a child protection registry; to provide notice of contact points to which a minor has access; to prescribe the powers and duties of certain state agencies and officials; to create a fund and provide for fees; and to provide for penalties and remedies;

NOW, THEREFORE, I, Richard D. Snyder, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, order the following:

## I. TRANSFER OF CHILD PROTECTION REGISTRY

A. The Child Protection Registry is transferred from the Department of Licensing and Regulatory Affairs ("LARA") to the Michigan Department of State. All the authority, powers, duties, functions and responsibilities granted to LARA or its predecessor agencies pursuant to the Michigan Children's Protection Registry Act, 2004 PA 241, MCL 752.1061 et seq., as amended, are transferred to the Michigan Department of State.

B. Any and all statutory or other references to LARA or its predecessor agencies related to the Child Protection Registry not inconsistent with this Order shall be deemed references to the Michigan Department of State.

C. All records and property necessary to execute the activities, powers, duties, functions, and responsibilities of the Michigan Children's Protection Registry Act are transferred from LARA to the Michigan Department of State.

D. All unexpended balances of appropriations, allocations, and other funds used, held, employed, or to be made available to LARA for the activities, powers, duties, functions, and responsibilities transferred by this Order are transferred to the Michigan Department of State.

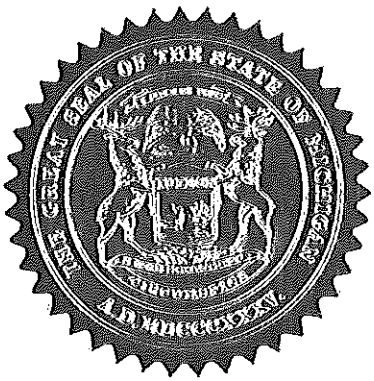
## II. MISCELLANEOUS

A. All rules, orders, contracts, plans, and agreements relating to any function exercised pursuant to the Michigan Children's Protection Registry Act transferred from LARA to the Michigan Department of State by this Order that were lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or rescinded.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity transferred from LARA to the Michigan Department of State by this Order shall not abate by reason of the taking effect of this Order. Any lawfully commenced suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements of Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order shall be effective 60 days after the filing of this Order.




Given under my hand and the Great Seal of the state of Michigan this 20th day of February in the Year of Our Lord, Two Thousand and Fourteen

RICHARD D. SNYDER
GOVERNOR

BY THE GOVERNOR:

SECRETARY OF STATE



**FILED WITH SECRETARY OF STATE**
**ON** 2/20/14 **AT** 1:40 P.M.