

## MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

SECRETARY OF STATE

STATE TREASURY BUILDING



LANSING

MICHIGAN 48918

April 1, 1981

Mr. Lawson E. Becker  
Warner, Norcross & Judd  
900 Old Kent Building  
One Vandenburg Center  
Grand Rapids, Michigan 49053

Dear Mr. Becker:

This is in response to your request for an interpretation of the act which regulates lobbyists ("the Act"), 1978 PA 472, as amended, with respect to when the requirements of the Act must be met by lobbyists and lobbyist agents.

Section 20 of the Act (MCL 4.430) provides that sections 7 through 13 and 21 do not take effect "before 6 months after the promulgation of a rule, as defined in section 5(6)" of the Administrative Procedures Act ("the APA"), 1969 PA 306. "Promulgation of a rule" is defined in section 5(6) of the APA (MCL 24.205) as:

"(T)hat step in the processing of a rule consisting of the filing of a rule with the Secretary of State."

The promulgation of the Department of State's Lobbyists Registration Rules ("the Rules"), 1980 AACS R4.411--R4.473, occurred when the rules were filed with the Secretary of State on December 16, 1980. Therefore the sections indicated above take effect on June 17, 1981. A person who is a lobbyist on that date must file a registration form with the Secretary of State within 15 days, or not later than July 2, 1981, to avoid a late registration fee required by section 7(3) of the Act (MCL 4.417). Similarly, a person who is a lobbyist agent on that date must file a registration form within 3 days, or not later than June 20, 1981, to avoid the late registration fee.

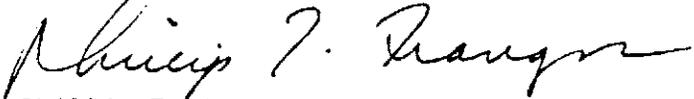
You have asked when the first semi-annual report required by section 8 of the Act (MCL 4.418) must be filed and what period of time is to be covered by that report. Since section 8 takes effect on June 17, 1981, the first report filed pursuant to that section is due on August 31, 1981 and covers the period June 17, 1981 to July 31, 1981, inclusive. The January 31, 1982 report covers the period August 1, 1981 to December 31, 1981, inclusive, with cumulative totals covering June 17, 1981 through December 31, 1981, inclusive.

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You have also asked what date people must begin keeping the records required to be obtained and preserved pursuant to section 9 of the Act (MCL 4.419). Like section 8, section 9 does not take effect until June 17, 1981. All transactions which occur on or after June 17, 1981 are subject to the requirements of section 9.

This response is informational only and does not constitute a declaratory ruling.

Very truly yours,



Phillip T. Frangos  
Director  
Office of Hearings and Legislation

PTF/cw