

Act No. 203
Public Acts of 1989
Approved by the Governor
October 23, 1989
Filed with the Secretary of State
October 23, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Senator Fessler

ENROLLED SENATE BILL No. 424

AN ACT to amend Act No. 451 of the Public Acts of 1976, entitled as amended "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and classify the laws relating to elementary and secondary education; to provide for the classification, organization, regulation, and maintenance of schools, school districts, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, and intermediate school districts; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal certain acts and parts of acts," as amended, being sections 380.1 to 380.1852 of the Michigan Compiled Laws, by adding sections 623b and 1256.

The People of the State of Michigan enact:

Section 1. Act No. 451 of the Public Acts of 1976, as amended, being sections 380.1 to 380.1852 of the Michigan Compiled Laws, is amended by adding sections 623b and 1256 to read as follows:

Sec. 623b. (1) If the duties of a person employed by an intermediate school board include inspecting, monitoring, removing, or treating asbestos or material containing asbestos, or supervising those activities, the intermediate school board may contractually agree to provide legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of the person's negligence or alleged negligence in performing those duties while in the course of his or her employment and while acting within the scope of his or her authority.

(2) A contractual agreement authorized under this section may be entered into at any time before or after the person begins performing the duties described in subsection (1).

Sec. 1256. (1) If the duties of a person employed by a board of a school district include inspecting, monitoring, removing, or treating asbestos or material containing asbestos, or supervising those activities, the board may contractually agree to provide legal representation and indemnification against civil liability with regard to claims or actions resulting from or arising out of the person's negligence or alleged negligence in performing those duties while in the course of his or her employment and while acting within the scope of his or her authority.

(2) A contractual agreement authorized under this section may be entered into at any time before or after the person begins performing the duties described in subsection (1).

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved.....

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Governor.