

HOUSE BILL No. 5776

May 16, 1990, Introduced by Rep. Niederstadt and referred to the Committee on Towns and Counties.

A bill to amend section 140 of Act No. 59 of the Public Acts of 1978, entitled as amended

"Condominium act,"

being section 559.240 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 140 of Act No. 59 of the Public Acts of
2 1978, being section 559.240 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 140. (1) Upon request and at such reasonable charges
5 as it prescribes, the administrator shall furnish to ~~any~~ A
6 person ~~photostatic or other copies,~~ A REPRODUCTION IN A MEDIUM
7 PURSUANT TO THE RECORDS MEDIA ACT, certified under the seal of
8 office if requested, of a document ~~which~~ THAT is retained as a
9 matter of public record. The administrator shall not charge or
10 collect a fee for ~~photostatic or other copies~~ A REPRODUCTION of

1 a document furnished to public officials for use in their
2 official capacity.

3 (2) In a judicial or administrative proceeding or prosecu-
4 tion, ~~a copy~~ A REPRODUCTION IN A MEDIUM PURSUANT TO THE RECORDS
5 MEDIA ACT, so certified, OR A REPRODUCTION MADE FROM SUCH A
6 MEDIUM, SO CERTIFIED, THAT IS A DURABLE MEDIUM FOR REPRODUCING
7 THE ORIGINAL, is prima facie evidence of the contents of the doc-
8 ument certified and may be used for all purposes in lieu of the
9 original.

10 (3) ~~When~~ IF the administrator is charged with the legal
11 custody of a paper, document, record, or application and ~~when~~
12 IF an officer or employee of the administrator certifies that a
13 diligent search was made in the files for the paper, document,
14 record, or application, and the paper, document, record, or
15 application does not exist, the certification ~~shall be~~ IS prima
16 facie evidence of the facts so certified ~~—~~ in all causes, mat-
17 ters, and proceedings in the same manner and with the like effect
18 as if the officer or employee personally testified to the ~~same~~
19 FACTS SO CERTIFIED in the court or hearing.

20 Section 2. This amendatory act shall not take effect unless
21 Senate Bill No. _____ (request no. 03301'89) or House Bill
22 No. 5013 of the 85th Legislature is enacted into law.