

Act No. 188
Public Acts of 1996
Approved by the Governor
May 7, 1996
Filed with the Secretary of State
May 8, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Rep. Voorhees

ENROLLED HOUSE BILL No. 4827

AN ACT to amend section 3 of Act No. 455 of the Public Acts of 1982, entitled "An act to provide for the confidentiality of certain library records; and to provide for the selection and use of library materials," being section 397.603 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 3 of Act No. 455 of the Public Acts of 1982, being section 397.603 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 3. (1) Except as provided in subsection (2), a library record is not subject to the disclosure requirements of the freedom of information act, Act No. 442 of the Public Acts of 1976, being sections 15.231 to 15.246 of the Michigan Compiled Laws.

(2) Unless ordered by a court after giving the affected library notice of the request and an opportunity to be heard on the request, a library or an employee or agent of a library shall not release or disclose a library record or portion of a library record to a person without the written consent of the person liable for payment for or return of the materials identified in that library record.

(3) The procedure and form of giving written consent described in subsection (2) may be determined by the library.

(4) A library may appear and be represented by counsel at a hearing described in subsection (2).

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.