

HOUSE BILL No. 5409

December 4, 1997, Introduced by Reps. Kaza, Basham, Wetters, Voorhees, Kukuk, McBryde, Godchaux, Cropsey, Mans, Richner and Jaye and referred to the Committee on House Oversight and Ethics.

A bill to amend 1976 PA 442, entitled
"Freedom of information act,"
by amending section 3 (MCL 15.233), as amended by 1996 PA 553.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) Except as expressly provided in section 13,
2 upon providing a public body's FOIA coordinator with a written
3 request that describes a public record sufficiently to enable the
4 public body to find the public record, a person has a right to
5 inspect, copy, or receive copies of the requested public record
6 of the public body. A person has a right to subscribe to future
7 issuances of public records that are created, issued, or dissemi-
8 nated on a regular basis. A subscription shall be valid for up
9 to 6 months, at the request of the subscriber, and shall be
10 renewable. An employee of a public body who receives a request

1 for a public record shall promptly forward that request to the
2 freedom of information act coordinator.

3 (2) A freedom of information act coordinator shall keep a
4 copy of all written requests for public records on file for no
5 less than 1 year.

6 (3) A public body shall furnish a requesting person a rea-
7 sonable opportunity for inspection and examination of its public
8 records, and shall furnish reasonable facilities for making memo-
9 randa or abstracts from its public records during the usual busi-
10 ness hours. A PUBLIC BODY SHALL FURNISH A PUBLIC RECORD IN THE
11 FORM IN WHICH THE PUBLIC RECORD IS MAINTAINED BY THE PUBLIC BODY
12 IF THE PUBLIC RECORD IS REQUESTED IN THAT FORM. ADDITIONALLY, A
13 PUBLIC BODY SHALL MAKE REASONABLE EFFORTS TO FURNISH A PUBLIC
14 RECORD IN AN ELECTRONIC FORM IF AN ELECTRONIC FORM IS REQUESTED.
15 A public body may make reasonable rules necessary to protect its
16 public records and to prevent excessive and unreasonable inter-
17 ference with the discharge of its functions. A public body shall
18 protect public records from loss, unauthorized alteration, muti-
19 lation, or destruction.

20 (4) This act does not require a public body to make a compi-
21 lation, summary, or report of information, except as required in
22 section 11.

23 (5) This act does not require a public body to create a new
24 public record, except as required in section 11, and to the
25 extent required by this act for the furnishing of A PUBLIC RECORD
26 IN AN ELECTRONIC FORMAT, THE FURNISHING OF PUBLIC RECORD copies,

1 or THE FURNISHING OF PUBLIC RECORD edited copies pursuant to
2 section 14(1). ~~, of an already existing public record.~~

3 (6) The custodian of a public record shall, upon written
4 request, furnish a requesting person a certified copy of a public
5 record.