

# HOUSE BILL NO. 6251

September 23, 2020, Introduced by Reps. Allor, Steven Johnson, Leutheuser, Crawford, Yaroch, O'Malley, Webber, Hall, Griffin and Schroeder and referred to the Committee on Oversight.

A bill to amend 1976 PA 442, entitled  
"Freedom of information act,"  
by amending section 6 (MCL 15.236), as amended by 1996 PA 553.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 6. (1) A public body that is a city, village, township,  
2 county, or state department, or under the control of a city,  
3 village, township, county, or state department, shall designate an  
4 individual as the public body's FOIA coordinator. ~~The~~ **Subject to**  
5 **subsections (3) and (4), the** FOIA coordinator shall ~~be responsible~~  
6 ~~for accepting and processing~~ **accept and process** requests for the



1 public body's public records under this act and shall be  
2 responsible for approving a **approve any** denial under section 5(4)  
3 and (5). **5(5) and (6)**. In a county not having an executive form of  
4 government, the chairperson of the county board of commissioners is  
5 designated the FOIA coordinator for that county.

6 (2) For all other public bodies, the chief administrative  
7 officer of the respective public body is designated the public  
8 body's FOIA coordinator.

9 (3) ~~An~~ **A** FOIA coordinator may designate another individual to  
10 act on his or her behalf in accepting and processing requests for  
11 the public body's public records, and in approving a denial under  
12 section 5(4) and (5). **5(5) and (6)**.

13 (4) **A public body shall designate an individual to serve as**  
14 **the public body's alternate FOIA coordinator for purposes of**  
15 **accepting and processing any request for the public body's public**  
16 **records, and in approving a denial under section 5(5) and (6), in**  
17 **either of the following circumstances:**

18 (a) **The request is for public records that pertain directly to**  
19 **the regular FOIA coordinator's conduct in the performance of any**  
20 **official function or job duty for or on behalf of the public body.**

21 (b) **The request is for public records that pertain directly to**  
22 **the conduct of an individual who is an announced opponent of the**  
23 **regular FOIA coordinator in an upcoming election for public office.**

