[No. 38]

(SB 361)

AN ACT to amend 1976 PA 267, entitled "An act to require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts," by amending section 2 (MCL 15.262).

The People of the State of Michigan enact:

15.262 Definitions.

Sec. 2. As used in this act:

- (a) "Public body" means any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function; a lessee of such a body performing an essential public purpose and function pursuant to the lease agreement; or the board of a nonprofit corporation formed by a city under section 40 of the home rule city act, 1909 PA 279, MCL 117.40.
- (b) "Meeting" means the convening of a public body at which a quorum is present for the purpose of deliberating toward or rendering a decision on a public policy, or any meeting of the board of a nonprofit corporation formed by a city under section 40 of the home rule city act, 1909 PA 279, MCL 117.40.
- (c) "Closed session" means a meeting or part of a meeting of a public body that is closed to the public.
- (d) "Decision" means a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy.

Conditional effective date.

Enacting section 1. This amendatory act shall not take effect unless Senate Bill No. 360 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved July 10, 2001.

Filed with Secretary of State July 11, 2001.

Compiler's note: Senate Bill No. 360, referred to in enacting section 1, was filed with the Secretary of State July 11, 2001, and became P.A. 2001, No. 37, Imd. Eff. July 11, 2001.