



# SENATE BILL No. 158

January 26, 1993, Introduced by Senators SCHWARZ and  
MC MANUS and referred to the Committee on Government  
Operations.

A bill to amend sections 7 and 8 of Act No. 267 of the  
Public Acts of 1976, entitled  
"Open meetings act,"  
section 8 as amended by Act No. 202 of the Public Acts of 1984,  
being sections 15.267 and 15.268 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 7 and 8 of Act No. 267 of the Public  
2 Acts of 1976, section 8 as amended by Act No. 202 of the Public  
3 Acts of 1984, being sections 15.267 and 15.268 of the Michigan  
4 Compiled Laws, are amended to read as follows:

5 Sec. 7. (1) A 2/3 roll call vote of members elected or  
6 appointed and serving ~~shall be~~ IS required to call a closed  
7 session, except for the closed sessions permitted under section  
8 8(a), (b), (c), ~~and~~ (g), AND (I). The roll call vote and the  
9 purpose or purposes for calling the closed session shall be

1 entered into the minutes of the meeting at which the vote is  
2 taken.

3 (2) A separate set of minutes shall be taken by the clerk or  
4 the designated secretary of the public body at the closed  
5 session. These minutes shall be retained by the clerk of the  
6 public body, shall not be available to the public, and shall only  
7 be disclosed if required by a civil action filed under section  
8 10, 11, or 13. These minutes may be destroyed 1 year and 1 day  
9 after approval of the minutes of the regular meeting at which the  
10 closed session was approved.

11 Sec. 8. A public body may meet in a closed session only for  
12 the following purposes:

13 (a) To consider the dismissal, suspension, or disciplining  
14 of, or to hear complaints or charges brought against, or to con-  
15 sider a periodic personnel evaluation of, a public officer,  
16 employee, staff member, or individual agent, if the named person  
17 requests a closed hearing. A person requesting a closed hearing  
18 may rescind the request at any time, in which case the matter at  
19 issue shall be considered thereafter only in open sessions.

20 (b) To consider the dismissal, suspension, or disciplining  
21 of a student if the public body is part of the school district,  
22 intermediate school district, or institution of higher education  
23 ~~which~~ THAT the student is attending, and if the student or the  
24 student's parent or guardian requests a closed hearing.

25 (c) For strategy and negotiation sessions connected with the  
26 negotiation of a collective bargaining agreement if either  
27 negotiating party requests a closed hearing.

1 (d) To consider the purchase or lease of real property up to  
2 the time an option to purchase or lease that real property is  
3 obtained.

4 (e) To consult with its attorney regarding trial or settle-  
5 ment strategy in connection with specific pending litigation, but  
6 only if an open meeting would have a detrimental financial effect  
7 on the litigating or settlement position of the public body.

8 (f) To review the specific contents of an application for  
9 employment or appointment to a public office if the candidate  
10 requests that the application remain confidential. However,  
11 EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, all interviews  
12 by a public body for employment or appointment to a public office  
13 shall be held in an open meeting pursuant to this act. THIS SUB-  
14 DIVISION DOES NOT APPLY TO A PUBLIC OFFICE DESCRIBED IN SUBDIVI-  
15 SION (I).

16 (g) Partisan caucuses of members of the state legislature.

17 (h) To consider material exempt from discussion or disclo-  
18 sure by state or federal statute.

19 (I) IN THE PROCESS OF SEARCHING FOR AND SELECTING A PRESI-  
20 DENT OF AN INSTITUTION OF HIGHER EDUCATION ESTABLISHED UNDER SEC-  
21 TION 4, 5, OR 6 OF ARTICLE VIII OF THE STATE CONSTITUTION OF  
22 1963, TO REVIEW THE SPECIFIC CONTENTS OF AN APPLICATION, TO CON-  
23 DUCT AN INTERVIEW WITH A CANDIDATE, TO DISCUSS THE SPECIFIC QUAL-  
24 IFICATIONS OF A CANDIDATE, OR TO DELIBERATE OR VOTE ON THE  
25 SELECTION.