

SUBSTITUTE FOR
HOUSE BILL NO. 4950

A bill to amend 1992 PA 116, entitled
"Records media act,"
by amending section 2 (MCL 24.402).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. (1) Except to the extent limited by law, if a gov-
2 ernmental entity or a governmental official acting in his or her
3 official capacity reproduces a record, the reproduction may be
4 created using any of the following media, subject to subsection
5 (2):
6 (a) Photograph.
7 (b) Photocopy.
8 (c) Microcopy.
9 (d) Optical storage disc, as of the effective date of rules,
10 to be promulgated pursuant to subsection (2), that govern optical
11 storage discs. However, this act does not prohibit the

1 utilization of an optical storage disc system purchased by this
2 state before the effective date of this act pursuant to legisla-
3 tive appropriations, unless the director of the department of
4 management and budget finds that the system is not capable of
5 creating reproductions that are equivalent to photographs or
6 microcopies. The director of the department of management and
7 budget shall transmit such a finding to the state department or
8 agency utilizing the optical storage disc system and to the house
9 and senate appropriations committees.

10 (2) Pursuant to the administrative procedures act of 1969,
11 ~~Act No. 306 of the Public Acts of 1969, being sections 24.201 to~~
12 ~~24.328 of the Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO
13 24.328, the department of ~~state~~ HISTORY, ARTS, AND LIBRARIES
14 and the department of management and budget shall jointly promul-
15 gate rules that govern the creating, processing, indexing, stor-
16 age, retrieval, durability, and inspection of reproductions by a
17 governmental entity or governmental official acting in his or her
18 official capacity. With respect to information systems that uti-
19 lize digital data in a medium listed in subsection (1) for the
20 reproduction of records, the rules shall do all of the
21 following:

22 (a) Set forth data interchangeability standards.

23 (b) Ensure continued maintenance of and access to the
24 records by requiring the conversion of the digital data medium or
25 the modification or replacement of the computer hardware or com-
26 puter software before the digital data medium, algorithms,
27 computer hardware, or computer software become obsolete.

HB4950, As Passed House, June 28, 2001

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1 Enacting section 1. This amendatory act does not take
2 effect unless House Bill No. 4941 of the 91st Legislature is
3 enacted into law.