

# HOUSE BILL No. 4950

June 13, 2001, Introduced by Reps. Zelenko and Stewart and referred to the Committee on Commerce.

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 CULTURE and  
14 the department of management and budget shall jointly promulgate  
15 rules that govern the creating, processing, indexing, storage,  
16 retrieval, durability, and inspection of reproductions by a gov-  
17 ernmental 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.

1        Enacting section 1. This amendatory act does not take  
2 effect unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4941  
3 (request no. 02873'01) of the 91st Legislature is enacted into  
4 law.