

Act No. 72
Public Acts of 2001
Approved by the Governor
July 23, 2001
Filed with the Secretary of State
July 24, 2001
EFFECTIVE DATE: July 24, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Reps. Zelenko and Stewart

ENROLLED HOUSE BILL No. 4950

AN ACT to amend 1992 PA 116, entitled "An act to designate and regulate certain records media; and to prescribe the powers and duties of certain governmental entities and officials," by amending section 2 (MCL 24.402).

The People of the State of Michigan enact:

Sec. 2. (1) Except to the extent limited by law, if a governmental entity or a governmental official acting in his or her official capacity reproduces a record, the reproduction may be created using any of the following media, subject to subsection (2):

- (a) Photograph.
- (b) Photocopy.
- (c) Microcopy.

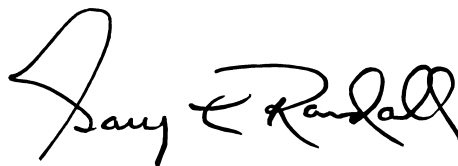
(d) Optical storage disc, as of the effective date of rules, to be promulgated pursuant to subsection (2), that govern optical storage discs. However, this act does not prohibit the utilization of an optical storage disc system purchased by this state before the effective date of this act pursuant to legislative appropriations, unless the director of the department of management and budget finds that the system is not capable of creating reproductions that are equivalent to photographs or microcopies. The director of the department of management and budget shall transmit such a finding to the state department or agency utilizing the optical storage disc system and to the house and senate appropriations committees.

(2) Pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, the department of history, arts, and libraries and the department of management and budget shall jointly promulgate rules that govern the creating, processing, indexing, storage, retrieval, durability, and inspection of reproductions by a governmental entity or governmental official acting in his or her official capacity. With respect to information systems that utilize digital data in a medium listed in subsection (1) for the reproduction of records, the rules shall do all of the following:

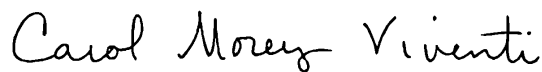
- (a) Set forth data interchangeability standards.
- (b) Ensure continued maintenance of and access to the records by requiring the conversion of the digital data medium or the modification or replacement of the computer hardware or computer software before the digital data medium, algorithms, computer hardware, or computer software become obsolete.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.