

# HOUSE BILL No. 4568

May 7, 2015, Introduced by Rep. Pscholka and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130,  
324.80315, 324.81114, and 324.82156), as amended by 2011 PA 90.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 80130. (1) The secretary of state may provide a  
2 commercial lookup service of records maintained under this part.  
3 For each individual record looked up, the secretary of state shall  
4 charge a fee specified annually by the legislature, or if none, a  
5 market-based price established by the secretary of state. The  
6 secretary of state shall process a commercial lookup request only  
7 if the request is in a form or format prescribed by the secretary  
8 of state. ~~Fees~~ **THE SECRETARY OF STATE SHALL CREDIT FEES** collected

1 under this subsection on and after October 1, 2005 ~~shall be~~  
2 ~~credited~~ to the transportation administration collection fund  
3 created in section 810b of the Michigan vehicle code, 1949 PA 300,  
4 MCL 257.810b, through October 1, ~~2015-2019~~.

5 (2) To provide an individual, historical boating record, the  
6 secretary of state shall create and maintain a computerized central  
7 file that includes the information contained on application forms  
8 received under this part and the name of each person who is  
9 convicted of an offense, who fails to comply with an order or  
10 judgment issued, or against whom an order is entered under this  
11 part. The computerized central file shall be interfaced with the  
12 law enforcement information network as provided in the C.J.I.S.  
13 policy council act, 1974 PA 163, MCL 28.211 to 28.215.

14 (3) The secretary of state shall not provide an entire  
15 computerized central or other file of records maintained under this  
16 part to a nongovernmental person or entity unless the purchaser  
17 pays the prescribed fee or price for each individual record  
18 contained within the computerized file.

19 (4) A certified copy of an order, record, or paper maintained  
20 under this part is admissible in evidence in the same manner as the  
21 original and is prima facie proof of the facts stated in the  
22 original.

23 Sec. 80315. (1) ~~Records~~ **THE SECRETARY OF STATE SHALL MAKE**  
24 **AVAILABLE TO THE PUBLIC RECORDS** maintained under this part, other  
25 than those declared to be confidential by law or that are  
26 restricted by law from disclosure to the public, ~~shall be available~~  
27 ~~to the public~~ under procedures prescribed in this part and in the

1 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

2 (2) The secretary of state may provide a commercial lookup  
3 service of watercraft title records maintained under this part. For  
4 each individual record looked up, the secretary of state shall  
5 charge a fee specified annually by the legislature, or if none, a  
6 market-based price established by the secretary of state. The  
7 secretary of state shall process a commercial lookup request only  
8 if the request is in a form or format prescribed by the secretary  
9 of state. ~~Fees~~**THE SECRETARY SHALL CREDIT FEES** collected under this  
10 subsection on and after October 1, 2005 ~~shall be credited~~ to the  
11 transportation administration collection fund created in section  
12 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b,  
13 through October 1, ~~2015~~**2019**.

14 (3) The secretary of state shall create and maintain a  
15 computerized central file that includes the information contained  
16 on application forms received under this part. The computerized  
17 central file shall be interfaced with the law enforcement  
18 information network as provided in the C.J.I.S. policy council act,  
19 1974 PA 163, MCL 28.211 to 28.215.

20 (4) The secretary of state shall not provide an entire  
21 computerized central or other file of records maintained under this  
22 part to a nongovernmental person or entity unless the purchaser  
23 pays the prescribed fee or price for each individual record  
24 contained within the computerized file.

25 (5) A certified copy of an order, record, or paper maintained  
26 under this part is admissible in evidence in the same manner as the  
27 original and is prima facie proof of the facts stated in the

1 original.

2           Sec. 81114. (1) ~~Records~~ **THE SECRETARY OF STATE SHALL MAKE**  
3 **AVAILABLE TO THE PUBLIC RECORDS** maintained under this part, other  
4 than those declared to be confidential by law or that are  
5 restricted by law from disclosure to the public, ~~shall be available~~  
6 ~~to the public~~ under procedures prescribed in this part and in the  
7 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

8           (2) The secretary of state may provide a commercial lookup  
9 service of ORV operation, title, and registration records  
10 maintained under this part. For each individual record looked up,  
11 the secretary of state shall charge a fee specified annually by the  
12 legislature, or if none, a market-based price established by the  
13 secretary of state. The secretary of state shall process a  
14 commercial lookup request only if the request is in a form or  
15 format prescribed by the secretary of state. ~~Fees~~ **THE SECRETARY OF**  
16 **STATE SHALL CREDIT FEES** collected under this subsection on and  
17 after October 1, 2005 ~~shall be credited~~ to the transportation  
18 administration collection fund created in section 810b of the  
19 Michigan vehicle code, 1949 PA 300, MCL 257.810b, through October  
20 1, ~~2015-2019~~.

21           (3) The secretary of state shall create and maintain a  
22 computerized central file that includes the information contained  
23 on application forms received under this part and the name of each  
24 person who is convicted of an offense, who fails to comply with an  
25 order or judgment issued, or against whom an order is entered under  
26 this part. The computerized central file shall be interfaced with  
27 the law enforcement information network as provided in the C.J.I.S.

1 policy council act, 1974 PA 163, MCL 28.211 to 28.215.

2 (4) The secretary of state may purge a record of an ORV  
3 certificate of title and any record pertaining to it 7 years after  
4 the title was issued or the record was made or received.

5 (5) The secretary of state shall not provide an entire  
6 computerized central or other file of records maintained under this  
7 part to a nongovernmental person or entity unless the purchaser  
8 pays the prescribed fee or price for each individual record  
9 contained within the computerized file.

10 (6) A certified copy of an order, record, or paper maintained  
11 under this part is admissible in evidence in the same manner as the  
12 original and is prima facie proof of the facts stated in the  
13 original.

14 Sec. 82156. (1) ~~Records~~ **THE SECRETARY OF STATE SHALL MAKE**  
15 **AVAILABLE TO THE PUBLIC RECORDS** maintained under this part, other  
16 than those declared to be confidential by law or that are  
17 restricted by law from disclosure to the public, ~~shall be available~~  
18 ~~to the public~~ under procedures prescribed in this part and in the  
19 freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

20 (2) The secretary of state may provide a commercial lookup  
21 service of snowmobile operation, title, and registration records  
22 maintained under this part. For each individual record looked up,  
23 the secretary of state shall charge a fee specified annually by the  
24 legislature, or if none, a market-based price established by the  
25 secretary of state. The secretary of state shall process a  
26 commercial lookup request only if the request is in a form or  
27 format prescribed by the secretary of state. ~~Fees~~ **THE SECRETARY OF**

1 **STATE SHALL CREDIT FEES** collected under this subsection on and  
2 after October 1, 2005 ~~shall be credited~~ to the transportation  
3 administration collection fund created in section 810b of the  
4 Michigan vehicle code, 1949 PA 300, MCL 257.810b, through October  
5 1, ~~2015-2019~~.

6 (3) To provide an individual, historical snowmobiling record,  
7 the secretary of state shall create and maintain a computerized  
8 central file that includes the information contained on application  
9 forms received under this part and the name of each person who is  
10 convicted of an offense, who fails to comply with an order or  
11 judgment issued, or against whom an order is entered under this  
12 part or former 1968 PA 74. The computerized central file shall be  
13 interfaced with the law enforcement information network as provided  
14 in the C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to  
15 28.215.

16 (4) The secretary of state shall not provide an entire  
17 computerized central or other file of records maintained under this  
18 part to a nongovernmental person or entity unless the purchaser  
19 pays the prescribed fee or price for each individual record  
20 contained within the computerized file.

21 (5) A certified copy of an order, record, or paper maintained  
22 in this record is admissible in evidence in like manner as the  
23 original and is prima facie proof of the facts stated in the  
24 original.

25 Enacting section 1. This amendatory act takes effect October  
26 1, 2015.