

Act No. 182  
Public Acts of 2017  
Approved by the Governor  
November 20, 2017  
Filed with the Secretary of State  
November 21, 2017  
EFFECTIVE DATE: February 19, 2018

**STATE OF MICHIGAN**  
**99TH LEGISLATURE**  
**REGULAR SESSION OF 2017**

Introduced by Senator Schmidt

# **ENROLLED SENATE BILL No. 559**

AN ACT to amend 1931 PA 328, entitled “An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at criminal trials; to provide for liability for damages; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 491 (MCL 750.491).

*The People of the State of Michigan enact:*

Sec. 491. (1) All official books, papers, or records created by or received in any office or agency of this state or its political subdivisions are public property belonging to the people of this state. All such books, papers, or records shall be disposed of only as provided in section 11 of the Michigan history center act, 2016 PA 470, MCL 399.811, and sections 2137 and 2138 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2137 and 600.2138.

(2) A person shall not willfully carry away, mutilate, or destroy the books, papers, records, or any part of a book, paper, or record described in subsection (1) and shall not retain and continue to hold the possession of those books, papers, or records, or parts of those books, papers, or records and refuse to deliver up those books, papers, records, or parts of those books, papers, or records to the proper officer having charge of the office to which those books, papers, or records belong upon demand being made by that officer or, if the office is defunct, the Michigan history center created in the Michigan history center act, 2016 PA 470, MCL 399.801 to 399.812. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$1,000.00.

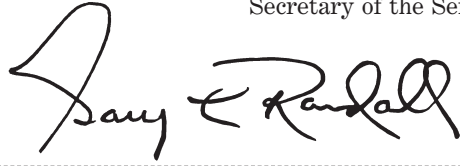
Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 564 of the 99th Legislature is enacted into law.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved .....

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Governor