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House Bill 4445 (as passed by the House)
Sponsor: Representative Brandt Iden
House Committee: Oversight
Senate Committee: Oversight

Date Completed: 6-10-19

CONTENT

The bill would amend the Freedom of Information Act to expand the scope of "nonpaper physical media" for the purpose of a public body's fee for searching for and providing a public record.

Under the Act, a public body may charge a fee for a public record search, for the necessary copying of a public record for inspection, or for providing a copy of a public record if it has established, makes publicly available, and follows procedures and guidelines to implement the Act. Generally, the fee is limited to actual mailing costs and to the actual incremental cost of duplication or publication, including labor, the cost of the search, examination, review, and separation of information that is exempt from disclosure under the Act from that which is not exempt.

Except as otherwise provided, if the public body estimates or charges a fee in accordance with the Act, the total fee may not exceed the sum of certain components specified in the Act, including, for public records provided to a requestor on nonpaper physical media, the actual and most reasonably economic cost of the computer discs, computer tapes, or other digital or similar media.

The bill would refer to *any form of* nonpaper physical material. Additionally, instead of computer discs, computer tapes, and other digital or similar media, the bill would refer to nonpaper physical media.

MCL 15.234

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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