

# SENATE BILL NO. 862

April 24, 2020, Introduced by Senator LUCIDO and referred to the Committee on Government Operations.

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
by amending section 11d (MCL 400.11d), as added by 1982 PA 519.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 11d. (1) ~~A~~**Except as provided in section 5 of the**  
2 **financial exploitation prevention act,** a writing prepared, owned,  
3 used, in the possession of, or retained by the state department in  
4 the performance of its duties under this act ~~shall~~**must** be made  
5 available to the public in compliance with ~~Act No. 442 of the~~

~~Public Acts of 1976, as amended, being sections 15.231 to 15.246 of the Michigan Compiled Laws.~~**freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.**

(2) The state department shall correct any inaccurate statement and shall clearly identify any unsubstantiated statement in a record or report provided to the state department ~~pursuant to~~ **under** sections 11 to 11e.

(3) Any person who is the subject of a report provided to the **state** department ~~pursuant to~~**under** sections 11 to 11e may request that the director correct an inaccurate report or clearly identify as unsubstantiated any record of a case for which the investigation did not reveal an incident described in sections 11 to 11e. If the director determines that the request is valid, the state department shall take the appropriate action. ~~However, a~~ **A** correction or identification provided for in this subsection ~~shall~~**must** not be made until an investigation has been completed and the case has been closed to receipt of adult protective services.

Enacting section 1. This amendatory act takes effect 270 days after the date it is enacted into law.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 464 of the 100th Legislature is enacted into law.