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House Bill 4346 (Substitute H-3 as passed by the House)
Sponsor: Representative Kevin Coleman
House Committee: Local Government and Municipal Finance
Senate Committee: Local Government

Date Completed: 10-31-23

CONTENT

The bill would amend the Open Meetings Act to allow municipal public employee retirement boards and certain joint agencies to meet remotely.

Among other things, the Act prescribes the circumstances under which a public body may meet wholly or partially by telephonic or video conferencing. The bill would add the following circumstances, which would apply after its effective date:

- For a public body that was responsible for the investment, administration, or management of a municipal public employee retirement system, any circumstances, including any of the circumstances which required accommodation of absent members under Section 3(2) of the Act; the public body would have to set and publish an attendance policy that included the determination of a quorum with one or more members participating electronically.¹
- For a public body that was a joint agency formed under Article 3 of the Michigan Energy Employment Act, any circumstances, including any of the circumstances requiring accommodation of absent members under Section 3(2) of the Open Meetings Act.

(As used in the bill, "municipal public employee retirement system" would mean a retirement system, trust, plan, or reserve fund that a local unit of government established, maintained, or participated in and that, by its express terms or because of surrounding circumstances, provided retirement pension benefits or retirement health benefits, or both. Municipal public employee retirement system would not include a State unit, or a retirement system established under the State Employees' Retirement Act. "Joint agency" would include a joint agency's board of commissioners and any committee of the joint agency.)

MCL 15.263a

Legislative Analyst: Alex Krabill

FISCAL IMPACT

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

Fiscal Analyst: Bobby Canell
Joe Carrasco, Jr.

¹ Section 3(2) of the Act specifies that a public body must accommodate virtual participation for any member who is absent because of military duty, a medical condition, or a statewide or local state of emergency or state of disaster.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.