

SENATE BILL NO. 490

July 29, 2025, Introduced by Senator ALBERT and referred to Committee on Economic and Community Development.

A bill to prohibit a public officer of this state or of a political subdivision of this state from entering into certain nondisclosure agreements regarding economic development projects; and to provide remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "economic development
2 transparency act".

3 Sec. 3. As used in this act:

4 (a) "Economic development incentive" means a tax incentive,
5 payment in lieu of taxes, tax abatement, bond, note, loan, grant,

1 rebate, tax increment financing, or any other financial or economic
2 assistance from this state or a political subdivision of this
3 state.

4 (b) "Economic development project" means any project in this
5 state that is subject to an economic development incentive.

6 (c) "Michigan economic development corporation" means that
7 term as defined in section 4 of the Michigan strategic fund act,
8 1984 PA 270, MCL 125.2004.

9 (d) "Nondisclosure agreement" means an agreement or contract
10 that provides that 1 or more of the following is confidential or
11 that a party to the agreement or contract is prohibited from
12 disclosing, discussing, describing, or commenting on 1 or more of
13 the following:

14 (i) Information related to an economic development project or
15 potential economic development project, including, but not limited
16 to, all of the following:

17 (A) The number of potential jobs to be created or other
18 benefits to be conferred on this state by the project.

19 (B) The amount of the investment.

20 (C) The site location.

21 (D) Site selection criteria.

22 (E) The identity of the person proposing or conducting the
23 project.

24 (F) Project operation plans or timelines.

25 (ii) Any information received in connection with the
26 consideration or award of an economic development incentive,
27 including, but not limited to, information provided by the Michigan
28 economic development corporation.

29 (iii) The terms of an economic development incentive or

1 potential economic development incentive.

2 (e) "Political subdivision" means a county, city, village,
3 township, or other political subdivision, public corporation,
4 authority, or district of this state.

5 (f) "Public officer" means an individual who holds an elective
6 office of this state or of a political subdivision of this state or
7 an individual who is appointed to fill a vacancy in an elective
8 office of this state or of a political subdivision of this state.

9 Sec. 5. Notwithstanding any provision of law to the contrary,
10 beginning on the effective date of this act, a public officer shall
11 not enter into a nondisclosure agreement that directly or
12 indirectly uses public funds.

13 Sec. 7. (1) This act applies to an agreement or contract that
14 is entered into, amended, extended, or renewed on or after the
15 effective date of this act.

16 (2) An agreement or contract, or a provision of an agreement
17 or contract, that violates this act is against public policy and is
18 void and unenforceable.