

EDUCATIONAL INSTRUCTION ACCESS ACT (EXCERPT)
Act 98 of 2017

123.1047 Noncompliance with act; civil action or injunctive relief; court costs and attorney fees.

Sec. 7. (1) If a local governmental body is allegedly not complying with this act, the attorney general, prosecuting attorney of the county in which the local governmental body serves, or educational institution or private school aggrieved by the local governmental body may provide written notice of noncompliance to the local governmental body. If the local governmental body fails to cure the noncompliance within 30 days after receiving the written notice of noncompliance, the attorney general, prosecuting attorney of the county in which the local governmental body serves, or educational institution or private school aggrieved by the local governmental body may commence a civil action to compel compliance or to enjoin further noncompliance with this act.

(2) An action for injunctive relief against a local governmental body must be commenced in the circuit court, and venue is proper in any county in which the local governmental body serves. If an educational institution or private school commences an action for injunctive relief, that educational institution or private school is not required to post security as a condition for obtaining a preliminary injunction or a temporary restraining order.

(3) If a local governmental body is not complying with this act, and an educational institution or private school commences a civil action against the local governmental body for injunctive relief to compel compliance or to enjoin further noncompliance with the act and succeeds in obtaining relief in the action, the educational institution or private school may recover court costs and reasonable attorney fees for the action.

History: 2017, Act 98, Imd. Eff. July 13, 2017.