

HOUSE BILL No. 4463

March 5, 1991, Introduced by Reps. Niederstadt, Bartnik, Pitoniak, Byrum, Dobronski, Baade, Anthony, McNutt, Middaugh and Dalman and referred to the Committee on Towns and Counties.

A bill to amend sections 41 and 42 of Act No. 440 of the Public Acts of 1976, entitled "Living care disclosure act," being sections 554.841 and 554.842 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 41 and 42 of Act No. 440 of the Public
2 Acts of 1976, being sections 554.841 and 554.842 of the Michigan
3 Compiled Laws, are amended to read as follows:

4 Sec. 41. (1) Upon request and at reasonable charges as it
5 prescribes, the bureau shall furnish to a person ~~photostatic or~~
6 ~~other copies~~ A REPRODUCTION PURSUANT TO THE RECORDS MEDIA ACT,
7 certified under the seal of office if requested, of a document
8 ~~which~~ THAT is retained as a matter of public record, except
9 that it shall not charge or collect a fee for ~~photostatic or~~

1 ~~other copies~~ A REPRODUCTION of a document furnished to a public
2 officer for use in his OR HER official capacity.

3 (2) In a judicial proceeding or prosecution, a certified
4 copy is prima facie evidence of the contents of the document cer-
5 tified and may be used for all purposes in place of the
6 original.

7 Sec. 42. (1) The bureau may destroy an application or
8 order, together with the files and folders, as useless or obso-
9 lete, NOT LESS THAN 6 years after the date of filing or issuance,
10 with the approval of the department of management and budget.

11 ~~A~~ THE BUREAU SHALL MAINTAIN A permanent record ~~shall be~~
12 ~~maintained~~ of any disciplinary action taken by the bureau.

13 (2) ~~Copies on microfilm or in other form which may be~~ A
14 REPRODUCTION, retained by the bureau ~~of records~~ IN A MEDIUM
15 PURSUANT TO THE RECORDS MEDIA ACT, OF A RECORD destroyed under
16 this section OR A REPRODUCTION CONSISTING OF A PRINTOUT OR OTHER
17 OUTPUT READABLE BY SIGHT FROM SUCH A MEDIUM shall be accepted for
18 all purposes as equivalent to the original ~~when~~ IF certified by
19 the bureau.

20 Section 2. This amendatory act shall not take effect unless
21 Senate Bill No. _____ or House Bill No. 4438 (request
22 no. 01788'91) of the 86th Legislature is enacted into law.