

HOUSE BILL NO. 5867

March 01, 2022, Introduced by Reps. Aiyash, Steven Johnson, Paquette, Cynthia Johnson, Rabhi, Howell, Pohutsky, Outman, Thanedar, Camilleri, LaGrand, Puri and Yancey and referred to the Committee on Government Operations.

A bill to prohibit any agency of this state, any political subdivision of this state, or any employee or officer of any agency of this state or any political subdivision of this state from entering into certain confidentiality or nondisclosure agreements.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
- 2 (a) "Economic development project" means any project in this
- 3 state that is subject to tax incentives, payment in lieu of taxes,
- 4 tax abatements, bonds, notes, loans, grants, rebates, or any other
- 5 financial or economic assistance from this state or a political

1 subdivision of this state.

2 (b) "Nondisclosure agreement" means an agreement or contract
3 that includes a provision or clause that provides that the
4 agreement or contract or any of its terms are confidential or that
5 the parties to the agreement or contract are prohibited from
6 disclosing, discussing, describing, or commenting upon the terms of
7 the agreement or contract.

8 Sec. 3. Notwithstanding any provision of law to the contrary,
9 beginning on and after the effective date of this act, neither an
10 agency of this state, a political subdivision of this state, or any
11 employee or officer of an agency of this state or a political
12 subdivision of this state acting in his or her official capacity
13 shall enter into a contract or agreement for an economic
14 development project that is subject to a nondisclosure agreement or
15 that includes a provision or clause within that contract or
16 agreement that provides that the agreement or contract or any of
17 its terms are confidential or that the parties to the agreement or
18 contract are prohibited from disclosing, discussing, describing, or
19 commenting upon the terms of the agreement or contract.

20 Sec. 5. This act applies to any contract that is entered into,
21 amended, extended, or renewed on or after the effective date of
22 this act.