

SENATE BILL NO. 670

November 09, 2023, Introduced by Senators MCBROOM and MOSS and referred to the Committee on Oversight.

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending sections 6, 10, and 13 (MCL 15.236, 15.240, and 15.243), section 6 as amended by 1996 PA 553, section 10 as amended by 2014 PA 563, and section 13 as amended by 2023 PA 64, and by adding section 14a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) **All of the following apply to the designation of a**
2 **FOIA coordinator:**

1 (a) A public body that is a city, village, township, county,
2 or state department, or under the control of a city, village,
3 township, county, or state department, shall designate an
4 individual as the public body's FOIA coordinator.

5 (b) In a county not having an executive form of government,
6 the chairperson of the county board of commissioners is designated
7 the FOIA coordinator for that county.

8 (c) This state's speaker of the house of representatives shall
9 designate an individual as the FOIA coordinator for the house of
10 representatives.

11 (d) This state's senate majority leader shall designate an
12 individual as the FOIA coordinator for the senate.

13 (e) For all other public bodies, the chief administrative
14 officer of the respective public body is designated the public
15 body's FOIA coordinator.

16 (2) The FOIA coordinator shall ~~be responsible for accepting~~
17 ~~and processing~~ **accept and process** requests for the public body's
18 public records under this act and shall ~~be responsible for~~
19 ~~approving a~~ **approve any** denial under section 5(4) and (5). In a
20 county not having an executive form of government, the chairperson
21 of the county board of commissioners is designated the FOIA
22 coordinator for that county. **5(5) and (6).**

23 ~~(2) For all other public bodies, the chief administrative~~
24 ~~officer of the respective public body is designated the public~~
25 ~~body's FOIA coordinator.~~

26 (3) ~~An~~ **A** FOIA coordinator may designate another individual to
27 act on his or her ~~the~~ **FOIA coordinator's** behalf in accepting and
28 processing requests for the public body's public records, and in
29 approving a denial under section 5(4) and (5). **5(5) and (6).**

1 Sec. 10. (1) If a public body makes a final determination to
2 deny all or a portion of a request, the requesting person may do ~~±~~
3 **either** of the following: ~~at his or her option:~~

4 (a) Submit to the head of the public body a written appeal
5 that specifically states the word "appeal" and identifies the
6 reason or reasons for reversal of the denial. **For purposes of an**
7 **appeal under this subdivision of a denial by a state legislative**
8 **public body as described in section 2(i)(ii), the submission must be**
9 **made to 1 of the following, as applicable:**

10 (i) **An individual designated by the speaker of the house of**
11 **representatives to respond to appeals on behalf of the house of**
12 **representatives.**

13 (ii) **An individual designated by the senate majority leader to**
14 **respond to appeals on behalf of the senate.**

15 (b) Commence a civil action in the circuit court, or if the
16 decision of a state public body is at issue, the court of claims,
17 to compel the public body's disclosure of the public records within
18 180 days after ~~a~~**the** public body's final determination to deny a
19 request.

20 (2) Within 10 business days after receiving a written appeal
21 pursuant to subsection (1)(a), the head of a public body shall do 1
22 of the following:

23 (a) Reverse the disclosure denial.

24 (b) Issue a written notice to the requesting person upholding
25 the disclosure denial.

26 (c) Reverse the disclosure denial in part and issue a written
27 notice to the requesting person upholding the disclosure denial in
28 part.

29 (d) Under unusual circumstances, issue a notice extending for

1 not more than 10 business days the period during which the head of
2 the public body shall respond to the written appeal. The head of a
3 public body shall not issue more than 1 notice of extension for a
4 particular written appeal.

5 (3) A board or commission that is the head of a public body is
6 not considered to have received a written appeal under subsection
7 (2) until the first regularly scheduled meeting of that board or
8 commission following submission of the written appeal under
9 subsection (1) (a). If the head of the public body fails to respond
10 to a written appeal pursuant to subsection (2), or if the head of
11 the public body upholds all or a portion of the disclosure denial
12 that is the subject of the written appeal, the requesting person
13 may seek judicial review of the nondisclosure by commencing a civil
14 action under subsection (1) (b).

15 (4) In an action commenced under subsection (1) (b), a court
16 that determines a public record is not exempt from disclosure shall
17 order the public body to cease withholding or to produce all or a
18 portion of a public record wrongfully withheld, regardless of the
19 location of the public record. Venue for an action against a local
20 public body is proper in the circuit court for the county in which
21 the public record or an office of the public body is located has
22 venue over the action. The court shall determine the matter de novo
23 and the burden is on the public body to sustain its denial. The
24 court, on its own motion, may view the public record in controversy
25 in private before reaching a decision. Failure to comply with an
26 order of the court may be punished as contempt of court.

27 (5) An action commenced under this section and an appeal from
28 an action commenced under this section shall be assigned for
29 hearing and trial or for argument at the earliest practicable date

1 and expedited in every way.

2 (6) If a person asserting the right to inspect, copy, or
3 receive a copy of all or a portion of a public record prevails in
4 an action commenced under this section, the court shall award
5 reasonable ~~attorneys'~~**attorney** fees, costs, and disbursements. If
6 the person or public body prevails in part, the court may, in its
7 discretion, award all or an appropriate portion of reasonable
8 ~~attorneys'~~**attorney** fees, costs, and disbursements. The award shall
9 be assessed against the public body liable for damages under
10 subsection (7).

11 (7) If the court determines in an action commenced under this
12 section that the public body has arbitrarily and capriciously
13 violated this act by refusal or delay in disclosing or providing
14 copies of a public record, the court shall order the public body to
15 pay a civil fine of \$1,000.00, which shall be deposited into the
16 general fund of the state treasury. The court shall award, in
17 addition to any actual or compensatory damages, punitive damages in
18 the amount of \$1,000.00 to the person seeking the right to inspect
19 or receive a copy of a public record. The damages shall not be
20 assessed against an individual, but shall be assessed against the
21 next succeeding public body that is not an individual and that kept
22 or maintained the public record as part of its public function.

23 Sec. 13. (1) A public body may exempt from disclosure as a
24 public record under this act any of the following:

25 (a) Information of a personal nature if public disclosure of
26 the information would constitute a clearly unwarranted invasion of
27 an individual's privacy.

28 (b) Investigating records compiled for law enforcement
29 purposes, but only to the extent that disclosure as a public record

1 would do any of the following:

2 (i) Interfere with law enforcement proceedings.

3 (ii) Deprive a person of the right to a fair trial or impartial
4 administrative adjudication.

5 (iii) Constitute an unwarranted invasion of personal privacy.

6 (iv) Disclose the identity of a confidential source, or if the
7 record is compiled by a law enforcement agency in the course of a
8 criminal investigation, disclose confidential information furnished
9 only by a confidential source.

10 (v) Disclose law enforcement investigative techniques or
11 procedures.

12 (vi) Endanger the life or physical safety of law enforcement
13 personnel.

14 (vii) Disclose the identity of a party who, as described in
15 subdivision (cc), proceeds anonymously in a civil action in which
16 the party alleges that the party was the victim of sexual
17 misconduct. For the purpose of securing the party's anonymity, that
18 party or the party's designee may provide written notification of
19 the civil action and the party's wish to remain anonymous to any
20 law enforcement agency that has investigating records subject to
21 this subparagraph, and the law enforcement agency shall retain a
22 copy of that notification in its files with those investigating
23 records.

24 (c) A public record that if disclosed would prejudice a public
25 body's ability to maintain the physical security of custodial or
26 penal institutions occupied by persons arrested or convicted of a
27 crime or admitted because of a mental disability, unless the public
28 interest in disclosure under this act outweighs the public interest
29 in nondisclosure.

1 (d) Records or information specifically described and exempted
2 from disclosure by statute.

3 (e) A public record or information described in this section
4 that is furnished by the public body originally compiling,
5 preparing, or receiving the record or information to a public
6 officer or public body in connection with the performance of the
7 duties of that public officer or public body, if the considerations
8 originally giving rise to the exempt nature of the public record
9 remain applicable.

10 (f) Trade secrets or commercial or financial information
11 voluntarily provided to an agency, **or a state legislative public**
12 **body as described in section 2(i)(ii)**, for use in developing
13 governmental policy if:

14 (i) The information is submitted upon a promise of
15 confidentiality by the public body.

16 (ii) The promise of confidentiality is authorized by the chief
17 administrative officer of the public body or by an elected official
18 at the time the promise is made.

19 (iii) A description of the information is recorded by the public
20 body within a reasonable time after it has been submitted,
21 maintained in a central place within the public body, and made
22 available to a person upon request. This subdivision does not apply
23 to information submitted as required by law or as a condition of
24 receiving a governmental contract, license, or other benefit.

25 (g) Information or records subject to the attorney-client
26 privilege.

27 (h) Information or records subject to the physician-patient
28 privilege, the psychologist-patient privilege, the minister,
29 priest, or Christian Science practitioner privilege, or other

1 privilege recognized by statute or court rule.

2 (i) A bid or proposal by a person to enter into a contract or
3 agreement, until the time for the public opening of bids or
4 proposals, or if a public opening is not to be conducted, until the
5 deadline for submission of bids or proposals has expired.

6 (j) Appraisals of real property to be acquired by the public
7 body until either of the following occurs:

8 (i) An agreement is entered into.

9 (ii) Three years have elapsed since the making of the
10 appraisal, unless litigation relative to the acquisition has not
11 yet terminated.

12 (k) Test questions and answers, scoring keys, and other
13 examination instruments or data used to administer a license,
14 public employment, or academic examination, unless the public
15 interest in disclosure under this act outweighs the public interest
16 in nondisclosure.

17 (l) Medical, counseling, or psychological facts or evaluations
18 concerning an individual if the individual's identity would be
19 revealed by a disclosure of those facts or evaluation, including
20 protected health information, as defined in 45 CFR 160.103.

21 (m) Communications and notes within a public body or between
22 public bodies of an advisory nature to the extent that they cover
23 other than purely factual materials and are preliminary to a final
24 agency determination of policy or action. ~~This~~ **As to the executive**
25 **office of the governor or lieutenant governor, or a state**
26 **legislative public body as described in section 2(i)(ii), this**
27 **exemption does not apply if in the particular instance the public**
28 **interest in disclosure clearly outweighs the public interest in**
29 **encouraging frank communications. As to all other public bodies,**

1 **this** exemption does not apply unless the public body shows that in
2 the particular instance the public interest in encouraging frank
3 communication between officials and employees of public bodies
4 clearly outweighs the public interest in disclosure. This exemption
5 does not constitute an exemption under state law for purposes of
6 section 8(h) of the open meetings act, 1976 PA 267, MCL 15.268. As
7 used in this subdivision, "determination of policy or action"
8 includes a determination relating to collective bargaining, unless
9 the public record is otherwise required to be made available under
10 1947 PA 336, MCL 423.201 to 423.217.

11 (n) Records of law enforcement communication codes, or plans
12 for deployment of law enforcement personnel, that if disclosed
13 would prejudice a public body's ability to protect the public
14 safety unless the public interest in disclosure under this act
15 outweighs the public interest in nondisclosure in the particular
16 instance.

17 (o) Information that would reveal the exact location of
18 archaeological sites. The department of natural resources may
19 promulgate rules in accordance with the administrative procedures
20 act of 1969, 1969 PA 306, MCL 24.201 to 24.328, to provide for the
21 disclosure of the location of archaeological sites for purposes
22 relating to the preservation or scientific examination of sites.

23 (p) Testing data developed by a public body in determining
24 whether bidders' products meet the specifications for purchase of
25 those products by the public body, if disclosure of the data would
26 reveal that only 1 bidder has met the specifications. This
27 subdivision does not apply after 1 year has elapsed from the time
28 the public body completes the testing.

29 (q) Academic transcripts of an institution of higher education

1 established under section 5, 6, or 7 of article VIII of the state
2 constitution of 1963, if the transcript pertains to a student who
3 is delinquent in the payment of financial obligations to the
4 institution.

5 (r) Records of a campaign committee including a committee that
6 receives money from a state campaign fund.

7 (s) Unless the public interest in disclosure outweighs the
8 public interest in nondisclosure in the particular instance, public
9 records of a law enforcement agency, the release of which would do
10 any of the following:

11 (i) Identify or provide a means of identifying an informant.

12 (ii) Identify or provide a means of identifying a law
13 enforcement undercover officer or agent or a plain clothes officer
14 as a law enforcement officer or agent.

15 (iii) Disclose the personal address or telephone number of
16 active or retired law enforcement officers or agents or a special
17 skill that they may have.

18 (iv) Disclose the name, address, or telephone numbers of family
19 members, relatives, children, or parents of active or retired law
20 enforcement officers or agents.

21 (v) Disclose operational instructions for law enforcement
22 officers or agents.

23 (vi) Reveal the contents of staff manuals provided for law
24 enforcement officers or agents.

25 (vii) Endanger the life or safety of law enforcement officers
26 or agents or their families, relatives, children, parents, or those
27 who furnish information to law enforcement departments or agencies.

28 (viii) Identify or provide a means of identifying a person as a
29 law enforcement officer, agent, or informant.

1 (ix) Disclose personnel records of law enforcement agencies.

2 (x) Identify or provide a means of identifying residences that
3 law enforcement agencies are requested to check in the absence of
4 their owners or tenants.

5 (t) Except as otherwise provided in this subdivision, records
6 and information pertaining to an investigation or a compliance
7 conference conducted by the department under article 15 of the
8 public health code, 1978 PA 368, MCL 333.16101 to 333.18838, before
9 a complaint is issued. This subdivision does not apply to records
10 or information pertaining to 1 or more of the following:

11 (i) The fact that an allegation has been received and an
12 investigation is being conducted, and the date the allegation was
13 received.

14 (ii) The fact that an allegation was received by the
15 department; the fact that the department did not issue a complaint
16 for the allegation; and the fact that the allegation was dismissed.

17 (u) Records of a public body's security measures, including
18 security plans, security codes and combinations, passwords, passes,
19 keys, and security procedures, to the extent that the records
20 relate to the ongoing security of the public body.

21 (v) Records or information relating to a civil action in which
22 the requesting party and the public body are parties.

23 (w) Information or records that would disclose the Social
24 Security number of an individual.

25 (x) Except as otherwise provided in this subdivision, an
26 application for the position of president of an institution of
27 higher education established under section 4, 5, or 6 of article
28 VIII of the state constitution of 1963, materials submitted with
29 such an application, letters of recommendation or references

1 concerning an applicant, and records or information relating to the
2 process of searching for and selecting an individual for a position
3 described in this subdivision, if the records or information could
4 be used to identify a candidate for the position. However, after 1
5 or more individuals have been identified as finalists for a
6 position described in this subdivision, this subdivision does not
7 apply to a public record described in this subdivision, except a
8 letter of recommendation or reference, to the extent that the
9 public record relates to an individual identified as a finalist for
10 the position.

11 (y) Records or information of measures designed to protect the
12 security or safety of persons or property, or the confidentiality,
13 integrity, or availability of information systems, whether public
14 or private, including, but not limited to, building, public works,
15 and public water supply designs to the extent that those designs
16 relate to the ongoing security measures of a public body,
17 capabilities and plans for responding to a violation of the
18 Michigan anti-terrorism act, chapter LXXXIII-A of the Michigan
19 penal code, 1931 PA 328, MCL 750.543a to 750.543z, emergency
20 response plans, risk planning documents, threat assessments,
21 domestic preparedness strategies, and cybersecurity plans,
22 assessments, or vulnerabilities, unless disclosure would not impair
23 a public body's ability to protect the security or safety of
24 persons or property or unless the public interest in disclosure
25 outweighs the public interest in nondisclosure in the particular
26 instance.

27 (z) Information that would identify or provide a means of
28 identifying a person that may, as a result of disclosure of the
29 information, become a victim of a cybersecurity incident or that

1 would disclose a person's cybersecurity plans or cybersecurity-
2 related practices, procedures, methods, results, organizational
3 information system infrastructure, hardware, or software.

4 (aa) Research data on road and attendant infrastructure
5 collected, measured, recorded, processed, or disseminated by a
6 public agency or private entity, or information about software or
7 hardware created or used by the private entity for such purposes.

8 (bb) Records or information that would reveal the specific
9 location or GPS coordinates of game, including, but not limited to,
10 records or information of the specific location or GPS coordinates
11 of game obtained by the department of natural resources during any
12 restoration, management, or research project conducted under
13 section 40501 of the natural resources and environmental protection
14 act, 1994 PA 451, MCL 324.40501, or in connection with the
15 expenditure of money under section 43553 of the natural resources
16 and environmental protection act, 1994 PA 451, MCL 324.43553. As
17 used in this subdivision, "game" means that term as defined in
18 section 40103 of the natural resources and environmental protection
19 act, 1994 PA 451, MCL 324.40103.

20 (cc) Information that would reveal the identity of a party who
21 proceeds anonymously in a civil action in which the party alleges
22 that the party was the victim of sexual misconduct. As used in this
23 subdivision, "sexual misconduct" means the conduct described in
24 section 90, 136, 145a, 145b, 145c, 520b, 520c, 520d, 520e, or 520g
25 of the Michigan penal code, 1931 PA 328, MCL 750.90, 750.136,
26 750.145a, 750.145b, 750.145c, 750.520b, 750.520c, 750.520d,
27 750.520e, and 750.520g, regardless of whether the conduct resulted
28 in a criminal conviction.

29 **(2) In addition to their grounds for exemption set forth in**

1 subsection (1), the executive office of the governor and lieutenant
2 governor may exempt from disclosure as a public record under this
3 act any of the following:

4 (a) Records or information in the possession of the executive
5 office of the governor or lieutenant governor or of an employee of
6 either of those offices that relates to any of the following:

7 (i) The appointment of an individual as a department or agency
8 director; as a member of a board, commission, or council; to fill a
9 vacancy on a court pursuant to section 23 of article VI of the
10 state constitution of 1963; or to any other position the governor
11 appoints as provided by law. After an individual has been appointed
12 to a position described in this subparagraph, the exemption does
13 not apply to records or information that relates to that individual
14 except as to a letter of recommendation or reference.

15 (ii) The decision to remove or suspend from office any public
16 official pursuant to section 10 of article V of the state
17 constitution of 1963, or to remove a judge from office pursuant to
18 section 25 of article VI of the state constitution of 1963. After
19 an individual has been removed or suspended from a position
20 described in this subparagraph, the exemption for records and
21 information under this subparagraph does not apply to a record that
22 relates to that individual.

23 (iii) The decision to grant or deny a reprieve, pardon, or
24 commutation pursuant to section 14 of article V of the state
25 constitution of 1963.

26 (iv) A budget recommendation prepared pursuant to section 18 of
27 article V of the state constitution of 1963.

28 (v) A reduction in expenditures pursuant to section 20 of
29 article V of the state constitution of 1963.

1 (vi) A message or recommendation to the legislature pursuant to
2 section 17 of article V of the state constitution of 1963.

3 (vii) The executive residence described in section 24 of
4 article V of the state constitution of 1963.

5 (b) Information or records subject to executive privilege.

6 (c) Records created, prepared, owned, used, in the possession
7 of, or retained by the executive office of the governor or
8 lieutenant governor or an employee of either of those offices prior
9 to the effective date of the amendatory act that added this
10 subdivision.

11 (d) Communications, including any related records or
12 information, between the executive office of the governor or
13 lieutenant governor or any employee of either of those offices and
14 a constituent, other than a person that receives an appointment or
15 is employed by this state or a person required to be registered as
16 a lobbyist under 1978 PA 472, MCL 4.411 to 4.431. For purposes of
17 this subdivision, "constituent" means an individual who resides in
18 this state and who contacts the executive office of the governor or
19 lieutenant governor for assistance in personally obtaining
20 government services, to express a personal opinion, or for redress
21 of personal grievances.

22 (e) Records or information that could impact the security of
23 the governor or lieutenant governor.

24 (f) The cellular telephone number of the governor or
25 lieutenant governor or an employee of the executive office of the
26 governor or lieutenant governor.

27 (g) Records or information pertaining to an internal
28 investigation.

29 (h) Records or information relating to a civil action in which

1 the executive office of the governor or lieutenant governor is a
2 party until such litigation or claim has been finally adjudicated
3 or otherwise settled.

4 (i) Records created, prepared, owned, used, in the possession
5 of, or retained by the office of the governor or lieutenant
6 governor or an employee of either of those offices for less than 30
7 days.

8 (3) In addition to its grounds for exemption set forth in
9 subsection (1), a public body that is a state legislative public
10 body as described in section 2(i)(ii) may exempt from disclosure as
11 a public record under this act any of the following:

12 (a) Communications, including any related records or
13 information, between a legislator or a legislator's office and a
14 constituent, other than a person required to be registered as a
15 lobbyist under 1978 PA 472, MCL 4.411 to 4.431. For purposes of
16 this subdivision, "constituent" means any of the following:

17 (i) An individual who is registered to vote in the district the
18 legislator is elected to represent.

19 (ii) An individual who is a resident of the district the
20 legislator is elected to represent and who is not registered to
21 vote outside of that district.

22 (iii) An individual other than an individual described in
23 subparagraph (i) or (ii) if it can be reasonably inferred that the
24 individual intended that the communication be with the legislator
25 elected to represent the district where the individual is
26 registered to vote or, if not registered to vote, resides.

27 (b) Records or information pertaining to an internal or
28 legislative investigation.

29 (c) Records or information relating to a civil action in which

1 the state legislative public body is a party until such litigation
2 or claim has been finally adjudicated or otherwise settled.

3 (d) Records or information specifically described and exempted
4 from disclosure by statute and including the records and
5 information subject to confidentiality requirements in sections
6 109, 501, and 601 of the legislative council act, 1986 PA 268, MCL
7 4.1109, 4.1501, and 4.1601, in section 9 of 2016 PA 198, MCL 4.779,
8 and in section 9 of 1975 PA 46, MCL 4.359.

9 (e) Records of the office of sergeant at arms.

10 (f) Records created, prepared, owned, used, in the possession
11 of, or retained by the state legislative public body for less than
12 30 days.

13 (g) Records created, prepared, owned, used, in the possession
14 of, or retained by the state legislative public body prior to the
15 effective date of the amendatory act that added this subdivision.

16 (h) Records created, prepared, owned, used, in the possession
17 of, or retained by the majority or minority caucuses of each house
18 of the legislature.

19 (i) The personal cellular telephone number of any legislator
20 or employee of the state legislative public body.

21 (4) Subsection (3) does not authorize the exemption from
22 disclosure of any salary record of an employee or official of a
23 state legislative public body as described in section 2(i)(ii).

24 (5) ~~(2)~~—A public body shall exempt from disclosure information
25 that, if released, would prevent the public body from complying
26 with 20 USC 1232g, commonly referred to as the family educational
27 rights and privacy act of 1974. A public body that is a local or
28 intermediate school district or a public school academy shall
29 exempt from disclosure directory information, as defined by 20 USC

1 1232g, commonly referred to as the family educational rights and
 2 privacy act of 1974, requested for the purpose of surveys,
 3 marketing, or solicitation, unless that public body determines that
 4 the use is consistent with the educational mission of the public
 5 body and beneficial to the affected students. A public body that is
 6 a local or intermediate school district or a public school academy
 7 may take steps to ensure that directory information disclosed under
 8 this subsection is not used, rented, or sold for the purpose of
 9 surveys, marketing, or solicitation. Before disclosing the
 10 directory information, a public body that is a local or
 11 intermediate school district or a public school academy may require
 12 the requestor to execute an affidavit stating that directory
 13 information provided under this subsection will not be used,
 14 rented, or sold for the purpose of surveys, marketing, or
 15 solicitation.

16 (6) ~~(3)~~—This act does not authorize the withholding of
 17 information otherwise required by law to be made available to the
 18 public or to a party in a contested case under the administrative
 19 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

20 ~~(4) Except as otherwise exempt under subsection (1), this act~~
 21 ~~does not authorize the withholding of a public record in the~~
 22 ~~possession of the executive office of the governor or lieutenant~~
 23 ~~governor, or an employee of either executive office, if the public~~
 24 ~~record is transferred to the executive office of the governor or~~
 25 ~~lieutenant governor, or an employee of either executive office,~~
 26 ~~after a request for the public record has been received by a state~~
 27 ~~officer, employee, agency, department, division, bureau, board,~~
 28 ~~commission, council, authority, or other body in the executive~~
 29 ~~branch of government that is subject to this act.~~

1 **Sec. 14a. This act's application to a state legislative public**
2 **body as described in section 2(i) (ii) must not be construed to**
3 **limit, modify, waive, or otherwise affect the privileges and**
4 **immunities guaranteed under section 11 of article IV of the state**
5 **constitution of 1963.**

6 Enacting section 1. This amendatory act takes effect on
7 January 1 of the first odd-numbered year that begins at least 6
8 months after the date it is enacted into law.

9 Enacting section 2. This amendatory act does not take effect
10 unless Senate Bill No. 669 of the 102nd Legislature is enacted into
11 law.