

MICHIGAN HISTORICAL COMMISSION (EXCERPT)
Act 271 of 1913

***** 399.4a THIS SECTION IS REPEALED BY ACT 470 OF 2016 EFFECTIVE APRIL 5, 2017 *****

399.4a Records; confidentiality; applicability of section.

Sec. 4a. (1) A record obtained by the secretary of state before the effective date of the 2001 amendatory act that amended this section or by the department after the effective date of the 2001 amendatory act that amended this section from a person under a written agreement specifying that the record is for retention in the state archives, but is confidential, shall be kept confidential and shall not be open to public inspection or copying for a period stated in the agreement, which period shall not be more than 20 years or until the death of the person, whichever occurs first.

(2) A record obtained by the secretary of state before the effective date of the 2001 amendatory act that amended this section or by the department after the effective date of the 2001 amendatory act that amended this section from a governmental agency that maintained the material on a confidential basis shall be kept confidential pursuant to the terms of a written agreement. The written agreement shall be signed by the secretary of state or a representative of the department and a representative of the donating agency, shall specify the terms and conditions under which the record is to be kept confidential, and may include provision for releasing the record for research purposes provided the name of each individual identified in the record is protected from disclosure.

(3) This section does not apply to a record that is not exempt from the disclosure requirements of the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, before receipt by the secretary of state or the department.

History: Add. 1980, Act 319, Imd. Eff. Dec. 9, 1980;—Am. 1992, Act 190, Imd. Eff. Oct. 5, 1992;—Am. 2001, Act 66, Imd. Eff. July 24, 2001.

Compiler's note: For transfer of powers and duties of department of history, arts, and libraries regarding state archives program to department of natural resources, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of powers and duties relating to promotion of history and the preservation of the state's historical resources to the department of natural resources, see E.R.O. No. 2009-26, compiled at MCL 399.752.

For transfer of Michigan historical commission to department of natural resources, see E.R.O. No. 2009-26, compiled at MCL 399.752.