



Senate Fiscal Agency
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House Bill 4705 (Substitute H-1 as passed by the House)
Sponsor: Representative Luke Meerman
House Committee: Oversight
Senate Committee: Oversight

Date Completed: 3-15-22

CONTENT

The bill would amend the Open Meetings Act to require certain public meetings be recorded in a manner that allowed for the capture of sound.

The Act requires all meetings of a public body to be open to the public and to be held in a place available to the general public. A public body may meet in a closed session (i.e., a meeting or part of a meeting of a public body that is closed to the public) only for certain specified purposes. ("Public body" means any State or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by the Michigan Constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function.)

Under the bill, every meeting of a public body that is a State licensing board, State commission panel, or State rule-making board, except a meeting or part of a meeting held in closed session, would have to be recorded in a manner that allowed for the capture of sound, including in any of the following formats:

- A sound-only recording.
- A video recording with sound and picture.
- A digital or analog broadcast capable of being recorded.

A recording would have to be maintained for a minimum of one year from the date of the meeting in a format that could be reproduced upon a request under the Freedom of Information Act.

Proposed MCL 15.269a

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have an indeterminate negative fiscal impact on State government. Under the bill, applicable public bodies that do not already possess means of recording meetings as required would need to purchase or rent appropriate equipment. Public bodies also could incur costs related to storage, but this likely would not require significant additional investments. However, it is possible that public bodies could incur additional compliance costs if records were requested under the Freedom of Information Act.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.