

HOUSE BILL NO. 5173

October 30, 2025, Introduced by Reps. Arbit, Dievendorf, Paiz, Wilson, Price, Rheingans, Conlin, Hope, MacDonell, Young, Weiss, Wegela, Tsernoglou and Breen and referred to Committee on Regulatory Reform.

A bill to amend 1939 PA 280, entitled
"The social welfare act,"
by amending section 64 (MCL 400.64), as amended by 2014 PA 528.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 64. (1) Notwithstanding sections 2(6), 35, 45(6), and
2 46(6), applications and records concerning an applicant for or
3 recipient of assistance under the terms of this act, except medical
4 assistance, are public records and are open to inspection by
5 persons authorized by the federal or state government, the ~~state~~

1 department, or the officials of the county, city, or district
2 involved, in connection with ~~their~~ official acts and by the general
3 public as to the names of recipients and the amounts of assistance
4 granted. General public access is restricted to ~~persons~~**individuals**
5 who present a signed application ~~containing~~**that contains** the name,
6 ~~the~~ address, and ~~the~~ occupation of the ~~persons~~**individuals** signing
7 the application. A person shall not utter or publish the names,
8 addresses, or other information regarding applicants or recipients
9 except in cases where fraud is charged or wrongful grant of
10 assistance is alleged. A person shall not use the names, addresses,
11 or other information regarding applicants or recipients for
12 political or commercial purposes.

13 (2) Records ~~relating~~**that relate** to ~~persons~~**an individual**
14 applying for, receiving, or formerly receiving medical services
15 under the categorical assistance programs of this act are
16 confidential and ~~shall~~**must** be used only for purposes directly and
17 specifically related to the administration of the medical program.

18 (3) In each county, the department shall maintain an
19 alphabetical index file in its office of cases receiving assistance
20 through the department. When a citizen makes a personal visit to an
21 office during regular office hours, and makes inquiry as to the
22 name or amount of assistance being received by ~~a person,~~**an**
23 **individual**, the requester shall be given the information requested
24 in the manner prescribed by the freedom of information act, 1976 PA
25 442, MCL 15.231 to 15.246.

26 (4) Subject to restrictions prescribed by federal regulations
27 ~~governing~~**that govern** temporary assistance for needy families or
28 other federal programs, **departmental** rules, ~~of the state~~
29 ~~department,~~ or otherwise, for preventing the disclosure of

1 confidential information to ~~any~~**a** person not authorized by law to
 2 receive the confidential information, the ~~state~~ department shall
 3 make available to a public utility ~~regulated by the Michigan public~~
 4 ~~service commission or a municipality~~ information concerning ~~that~~
 5 **concerns** applicants for, and recipients of, public assistance, the
 6 disclosure of which is necessary and the use of which is strictly
 7 limited to the purpose of ~~a~~**the** public utility's administering a
 8 program created by statute or by order of the ~~Michigan public~~
 9 service commission and intended to assist applicants for, or
 10 recipients of, public assistance in defraying ~~their~~**water service,**
 11 **wastewater service, stormwater service, or** energy costs. **As used in**
 12 **this subsection, "public utility" includes all of the following**
 13 **entities:**

14 (a) A public water supply as that term is defined in section 2
 15 of the safe drinking water act, 1976 PA 399, MCL 325.1002.

16 (b) A wastewater utility.

17 (c) A stormwater utility.

18 (d) A public utility regulated by the public service
 19 commission.

20 (e) A municipally owned electric utility.

21 (5) The state department may disclose information regarding
 22 applicants for, and recipients of, assistance under this act in
 23 connection with the administration of assistance under this act,
 24 including the implementation and administration of section 60a, to
 25 the extent that the disclosure in regard to applicants for and
 26 recipients of federally funded assistance is in accordance with
 27 applicable federal law and regulations regarding disclosure of
 28 confidential information concerning applicants for or recipients of
 29 federally funded assistance.

1 (6) Except as prescribed in section 61(2) and 61(3), a person
2 ~~who~~**that** violates this section is ~~, upon conviction,~~ guilty of a
3 misdemeanor punishable by imprisonment for not more than 2 years,
4 ~~or by~~ a fine of not more than \$1,000.00, or both. If an employee of
5 ~~the~~**this** state violates this section, the employee is also subject
6 to dismissal from state employment subject to rules ~~as~~ established
7 by the civil service commission.

8 (7) The county department shall give prompt notice to
9 appropriate law enforcement officials of the furnishing of
10 temporary assistance for needy families in each case where a child
11 has been deserted or abandoned by a parent and assistance is being
12 furnished to the child.

13 (8) Documents, reports, or records authored by or obtained
14 from another agency or organization shall not be released or open
15 for inspection under subsection (1) unless required by other state
16 or federal law, in response to an order issued by a judge,
17 magistrate, or other authorized judicial officer.