

THE MICHIGAN PENAL CODE (EXCERPT)
Act 328 of 1931

750.491 Public records; disposal; removal, mutilation, or destruction; violation as misdemeanor; penalty.

Sec. 491.

(1) All official books, papers, or records created by or received in any office or agency of this state or its political subdivisions are public property belonging to the people of this state. All such books, papers, or records must be disposed of only as provided in section 11 of the Michigan history center act, 2016 PA 470, MCL 399.811, section 2a of the records reproduction act, 1992 PA 116, MCL 24.402a, and sections 2137 and 2138 of the revised judicature act of 1961, 1961 PA 236, MCL 600.2137 and 600.2138.

(2) An individual shall not willfully carry away, mutilate, or destroy the books, papers, records, or any part of a book, paper, or record described in subsection (1) and shall not retain and continue to hold the possession of those books, papers, or records, or parts of those books, papers, or records and refuse to deliver up those books, papers, records, or parts of those books, papers, or records to the proper officer having charge of the office to which those books, papers, or records belong upon demand being made by that officer or, if the office is defunct, the Michigan history center created in the Michigan history center act, 2016 PA 470, MCL 399.801 to 399.812. An individual who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 2 years or a fine of not more than \$1,000.00.

History: 1931, Act 328, Eff. Sept. 18, 1931 ;-- CL 1948, 750.491 ;-- Am. 1952, Act 119, Eff. Sept. 18, 1952 ;-- Am. 1964, Act 147, Eff. Aug. 28, 1964 ;-- Am. 2017, Act 182, Eff. Feb. 19, 2018 ;-- Am. 2020, Act 284, Eff. Mar. 24, 2021

Compiler's Notes: 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 the transfer of powers and duties related to the state archives program from the department of natural resources to the department of technology, management and budget, see E.R.O. 2023-2, compiled at MCL 388.1283.

Former Law: See section 1 of Act 6 of 1851, being CL 1857, § 5906; CL 1871, § 7751; How., § 9347; CL 1897, § 11361; CL 1915, § 15079; CL 1929, § 17018; and Act 208 of 1875.