

MICHIGAN HISTORY CENTER ACT (EXCERPT)
Act 470 of 2016

399.810 Confidentiality of records.

Sec. 10.

(1) A record obtained by the archives 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 director 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 a provision for releasing the record for research purposes if the name of each individual identified in the record is protected from disclosure.

(2) If the archives obtains a record from a person under a written agreement specifying that the record is confidential, the archives shall keep the record confidential and not make the record open to public inspection or copying for the period stated in the agreement, which shall not be more than 20 years, or shall terminate at the death of the person, whichever occurs first.

(3) This section applies only to a record that is exempt from the disclosure requirements of the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246, before receipt by the archives.

(4) A public record that is classified as confidential, including, but not limited to, birth records and death records, shall be made available for inspection and copying 75 years after the creation of that record. However, birth name indexes shall be made available after 100 years and a birth record shall be made available for inspection and copying 110 years after the creation of that record.

History: 2016, Act 470, Eff. Apr. 5, 2017

Compiler's Notes: 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.