

# HOUSE BILL NO. 4858

August 29, 2019, Introduced by Rep. Huizenga and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130, 324.80315, 324.81114, and 324.82156), sections 80130, 80315, and 82156 as amended by 2015 PA 77 and section 81114 as amended by 2017 PA 199.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 80130. (1) The secretary of state may provide a
- 2 commercial lookup service of records maintained under this part.
- 3 For each individual record looked up, the secretary of state shall

1 charge a fee specified annually by the legislature, or if none, a  
2 market-based price established by the secretary of state. The  
3 secretary of state shall process a commercial lookup request only  
4 if the request is in a form or format prescribed by the secretary  
5 of state. The secretary of state shall credit fees collected under  
6 this subsection ~~on and after October 1, 2005~~ to the transportation  
7 administration collection fund created in section 810b of the  
8 Michigan vehicle code, 1949 PA 300, MCL 257.810b, through October  
9 1, ~~2019~~-2023.

10 (2) To provide an individual, historical boating record, the  
11 secretary of state shall create and maintain a computerized central  
12 file that includes the information contained on application forms  
13 received under this part and the name of each person who is  
14 convicted of an offense, who fails to comply with an order or  
15 judgment issued, or against whom an order is entered under this  
16 part. The computerized central file ~~shall~~**must** be interfaced with  
17 the law enforcement information network as provided in the C.J.I.S.  
18 policy council act, 1974 PA 163, MCL 28.211 to 28.215.

19 (3) The secretary of state shall not provide an entire  
20 computerized central or other file of records maintained under this  
21 part to a nongovernmental person or entity unless the purchaser  
22 pays the prescribed fee or price for each individual record  
23 contained within the computerized file.

24 (4) A certified copy of an order, record, or paper maintained  
25 under this part is admissible in evidence in the same manner as the  
26 original and is prima facie proof of the facts stated in the  
27 original.

28 Sec. 80315. (1) The secretary of state shall make available to  
29 the public records maintained under this part, other than those

1 declared to be confidential by law or that are restricted by law  
2 from disclosure to the public, under procedures prescribed in this  
3 part and in the freedom of information act, 1976 PA 442, MCL 15.231  
4 to 15.246.

5 (2) The secretary of state may provide a commercial lookup  
6 service of watercraft title records maintained under this part. For  
7 each individual record looked up, the secretary of state shall  
8 charge a fee specified annually by the legislature, or if none, a  
9 market-based price established by the secretary of state. The  
10 secretary of state shall process a commercial lookup request only  
11 if the request is in a form or format prescribed by the secretary  
12 of state. The secretary of state shall credit fees collected under  
13 this subsection ~~on and after October 1, 2005~~ to the transportation  
14 administration collection fund created in section 810b of the  
15 Michigan vehicle code, 1949 PA 300, MCL 257.810b, through October  
16 1, ~~2019~~.**2023**.

17 (3) The secretary of state shall create and maintain a  
18 computerized central file that includes the information contained  
19 on application forms received under this part. The computerized  
20 central file ~~shall~~**must** be interfaced with the law enforcement  
21 information network as provided in the C.J.I.S. policy council act,  
22 1974 PA 163, MCL 28.211 to 28.215.

23 (4) The secretary of state shall not provide an entire  
24 computerized central or other file of records maintained under this  
25 part to a nongovernmental person or entity unless the purchaser  
26 pays the prescribed fee or price for each individual record  
27 contained within the computerized file.

28 (5) A certified copy of an order, record, or paper maintained  
29 under this part is admissible in evidence in the same manner as the

1 original and is prima facie proof of the facts stated in the  
2 original.

3       Sec. 81114. (1) The secretary of state shall make available to  
4 the public records maintained under this part, other than those  
5 declared to be confidential by law or that are restricted by law  
6 from disclosure to the public, under procedures prescribed in this  
7 part and in the freedom of information act, 1976 PA 442, MCL 15.231  
8 to 15.246.

9       (2) The secretary of state may provide a commercial lookup  
10 service of ORV operation, title, and registration records  
11 maintained under this part. For each individual record looked up,  
12 the secretary of state shall charge a fee specified annually by the  
13 legislature, or if none, a market-based price established by the  
14 secretary of state. The secretary of state shall process a  
15 commercial lookup request only if the request is in a form or  
16 format prescribed by the secretary of state. The secretary of state  
17 shall credit fees collected under this subsection to the  
18 transportation administration collection fund created in section  
19 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b,  
20 through October 1, ~~2024~~.**2023**.

21       (3) The secretary of state shall create and maintain a  
22 computerized central file that includes the information contained  
23 on application forms received under this part and the name of each  
24 person who is convicted of an offense, who fails to comply with an  
25 order or judgment issued, or against whom an order is entered under  
26 this part. The computerized central file ~~shall~~**must** be interfaced  
27 with the law enforcement information network as provided in the  
28 C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

29       (4) The secretary of state may purge a record of an ORV

1 certificate of title and any record pertaining to it 7 years after  
2 the title was issued or the record was made or received.

3 (5) The secretary of state shall not provide an entire  
4 computerized central or other file of records maintained under this  
5 part to a nongovernmental person or entity unless the purchaser  
6 pays the prescribed fee or price for each individual record  
7 contained within the computerized file.

8 (6) A certified copy of an order, record, or paper maintained  
9 under this part is admissible in evidence in the same manner as the  
10 original and is prima facie proof of the facts stated in the  
11 original.

12 Sec. 82156. (1) The secretary of state shall make available to  
13 the public records maintained under this part, other than those  
14 declared to be confidential by law or that are restricted by law  
15 from disclosure to the public, under procedures prescribed in this  
16 part and in the freedom of information act, 1976 PA 442, MCL 15.231  
17 to 15.246.

18 (2) The secretary of state may provide a commercial lookup  
19 service of snowmobile operation, title, and registration records  
20 maintained under this part. For each individual record looked up,  
21 the secretary of state shall charge a fee specified annually by the  
22 legislature, or if none, a market-based price established by the  
23 secretary of state. The secretary of state shall process a  
24 commercial lookup request only if the request is in a form or  
25 format prescribed by the secretary of state. The secretary of state  
26 shall credit fees collected under this subsection ~~on and after~~  
27 ~~October 1, 2005~~ to the transportation administration collection  
28 fund created in section 810b of the Michigan vehicle code, 1949 PA  
29 300, MCL 257.810b, through October 1, ~~2019~~**2023**.

1           (3) To provide an individual, historical snowmobiling record,  
2 the secretary of state shall create and maintain a computerized  
3 central file that includes the information contained on application  
4 forms received under this part and the name of each person who is  
5 convicted of an offense, who fails to comply with an order or  
6 judgment issued, or against whom an order is entered under this  
7 part or former 1968 PA 74. The computerized central file ~~shall~~**must**  
8 be interfaced with the law enforcement information network as  
9 provided in the C.J.I.S. policy council act, 1974 PA 163, MCL  
10 28.211 to 28.215.

11           (4) The secretary of state shall not provide an entire  
12 computerized central or other file of records maintained under this  
13 part to a nongovernmental person or entity unless the purchaser  
14 pays the prescribed fee or price for each individual record  
15 contained within the computerized file.

16           (5) A certified copy of an order, record, or paper maintained  
17 in this record is admissible in evidence in like manner as the  
18 original and is prima facie proof of the facts stated in the  
19 original.