

RECORDS REPRODUCTION ACT (EXCERPT)
Act 116 of 1992

24.402a Reproduction of construction documents; electronic or digital file format; requirements; disposal or destruction of certain construction documents; definitions.

Sec. 2a.

(1) A municipality may reproduce in any electronic or digital file format a construction document that is or has been presented to a building official or department of that municipality if all of the following conditions are met:

- (a) The electronic or digital file format used by the municipality captures the entire construction document.
- (b) The accuracy of the construction document to be reproduced in an electronic or digital file format is confirmed by a building official of that municipality, the planning commission of that municipality, or a signed affidavit from the individual who created the construction document.
- (c) The construction document reproduced in an electronic or digital file format is easily accessible and publicly available at the clerk's office and on the municipality's website.
- (d) In addition to the electronic or digital file format used by the municipality, the construction document is also reproduced in a portable document format (PDF) or another widely used secure electronic format.
- (e) A physical copy of the construction document reproduced in an electronic or digital file format is available from the clerk of the municipality, or his or her designee, for a reasonable fee.
- (f) A redundant copy of the construction document reproduced in an electronic or digital file is kept at a bonded third-party digital storage vendor.

(2) Except as otherwise provided in this subsection, if a municipality electronically or digitally reproduces a construction document as provided in subsection (1), the original construction document may be disposed of or destroyed as authorized under section 11 of the Michigan history center act, 2016 PA 470, MCL 399.811. If the original construction document reproduced in an electronic or digital file format is for or involves a historic site, the original construction document must be retained by the municipality and may not be disposed of or destroyed.

(3) As used in this section:

- (a) "Bonded third-party digital storage vendor" means a business that provides digital storage and that maintains liability insurance against negligence with a minimum policy limit of \$500,000.00 per occurrence.
- (b) "Construction document" includes, but is not limited to, the specifications, bid documents, instructions to bidders, contract, bonds, drawings, blueprints, permits, site plans, change work orders, or stop work orders for a construction project.
- (c) "Historic site" means any building recognized under federal or state law as being a historic site including, but not limited to, any historic site listed on the state register of historic sites that is maintained under section 4 of the Governor John B. Swainson Michigan historical markers act, 1955 PA 10, MCL 399.154.
- (d) "Municipality" means a county, city, village, or township.

History: Add. 2020, Act 283, Eff. Mar. 24, 2021