

Open Meetings Act Summary

Excerpts from Public Act No. 528 of 2012 an Act to amend PA 267 of 1976 Notification of Meetings:

The law states that within 10 days of the first meeting of a public body in each calendar or fiscal year, the body must publicly post a list stating the dates, times and places of all its regular meetings at its principal office. (Michigan Legislature, 2001) Special Meetings: For special meetings, public bodies must post a notice indicating the date, time and place at least 18 hours before the meetings. (Michigan Legislature, 2001)

Website Posting: Effective December 28, 2012, PA 528 amended Section 5 of the OMA to provide that if a public body directly or indirectly maintains a website that includes monthly (or more frequent) updates of public meeting agendas or minutes, the public body must post the notice of a special meeting or rescheduled regular meeting in a prominent and conspicuous place on its website (in addition to posting the notice at its principal office) at least 18 hours before the meeting. (Opsommer, 2012)

Emergency Meetings: Public bodies may hold emergency sessions without a written notice or time constraints if the public health, safety or welfare is severely threatened and if two-thirds of the body's members vote to hold the emergency meeting. (Michigan Legislature, 2001) However, website posting of the emergency meeting with its reason must occur within 48 hours after the meeting. If less than 18 hour notice is given then paper copies of the notice must be made available to the public at that meeting and include an explanation of the reasons that public body cannot comply with the 18-hour posted notice requirement. (Opsommer, 2012)

Closed Meetings: The law provides for closed meetings in a few specified circumstances. In order for a public body to hold a closed meeting, two-thirds of its members must vote affirmatively in a roll call. Also, the purpose for which the closed meeting is being called has to be stated in the meeting when the roll call is taken. (Michigan Legislature, 2001) Explanation of Minutes of Closed Meeting: Minutes of closed meetings must also be recorded although they are not available for public inspection and would only be disclosed if required by a civil action. These minutes may be destroyed one year and one day after approval of the minutes of the regular meeting at which the closed session was approved. (Michigan Legislature, 2001)

Works Cited:

Michigan Legislature. (2001, January 01). The Michigan Open Meetings Act and Freedom of Information Act. Retrieved July 26, 2015, from [Legislature.Mi.gov](http://www.legislature.mi.gov):
<http://www.legislature.mi.gov/documents/Publications/OpenMtgsFreedom.pdf> Opsommer, R. (2012, December 28). Act No. 528 Public Acts of 2012. Retrieved July 26, 2015, from [Legislature.Mi.gov](http://www.legislature.mi.gov):
<http://www.legislature.mi.gov/documents/2011-2012/publicact/pdf/2012-PA-0528.pdf>

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