

Freedom of Information Act—Policy and Definitions

Policy of Act

The policy of the state as expressed in the Freedom of Information Act (FOIA) is that all persons, except those incarcerated in state or local correctional facilities, are entitled to full and complete information regarding the affairs of government and the official acts of those who represent them as public officials and public employees. The people shall be informed so that they may fully participate in the democratic process. MCL 15.231 et seq.

Key definitions

FOIA Coordinator	<p>Either an individual who is a public body (see definition of “public body” below) OR an individual designated by a public body to accept and process requests for public records.</p> <p>The FOIA coordinator shall be responsible for accepting and processing requests for the public body’s public records. The FOIA coordinator may designate another individual to act on his or her behalf in accepting and processing requests for the public body’s public records.</p>
Person	An individual, corporation, limited liability company, partnership, organization, governmental entity, or other legal entity. Person does not include an individual serving a sentence of imprisonment in a state or county correctional facility.
Public Body	Includes a city, village and township council or commission or board and its departments, committees and divisions, as well as municipal corporations.
Public Record	A writing prepared, owned, used, in the possession of, or retained by a public body or its divisions and employees in the performance of an official function, from the time it is created. Computer software is not included. The act sets out which public records are exempt from disclosure.
Writing	Includes handwriting, typewriting, printing, photostating, photographing, photocopying, and every other means of recording, and includes letters, words, pictures, sounds, or symbols, or combinations thereof, and papers, maps, magnetic or paper tapes, photographic films or prints, microfilm microfiche, magnetic or punched cards, discs, drums, or other means of recording or retaining meaningful content.
Written Request	Writing that asks for information, including a writing transmitted by facsimile, electronic mail, or other electronic means.

New requirement—verbal request

If a verbal request is made for information that a public body believes is available on its website, the public employee shall, where practicable and to the best of the public employee’s knowledge, inform the requestor about the public body’s pertinent website address.