Any public body, especially those maintaining a website, should be aware of the amendment to the Michigan Open Meetings Act (OMA) that became effective on December 31, 2012. PA 528 amended Section 5 of the OMA by adding additional notice requirements for certain meetings that are open to the public. The important provisions of PA 528 are as follows:

- Under the prior version of the law, notice of a rescheduled regular, special meeting or meeting recessed more than 36 hours was required to be posted at least 18 hours in advance of the meeting. While notice must still be posted 18 hours in advance, PA 528 added further requirements for the posting. Under PA 528, the notice must be posted at a "prominent and conspicuous place" **at both the public body's principle office and, if applicable, on a website.**
- The website posting is required if the public body "directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes." The posting must be made on the portion of the website fully accessible to the public, either on (1) the homepage or (2) a separate webpage dedicated to the public notices for nonregularly scheduled public meetings that is accessible from a prominent and conspicuous link on the homepage (the link must clearly describe its purpose).
- PA 528 added additional notice and posting requirements for "emergency public meetings." Emergency public meetings are those that are held without the 18 hour notice because "of a severe and imminent threat to the health, safety or welfare of the public when 2/3 of the members serving on the body decide that delay would be detrimental to efforts to lesson or respond to the threat. " MCL 15.265(5). For emergency meetings, the public body shall make paper copies of the notice available at the meeting. The notice must include an explanation of the reasons the 18 hour notice could not be met. The reasons must be specific and not generalizations. If the public body maintains an "internet presence," (same description as above) the notice and explanation must be posted on the website as described above. Within 48 hours of the emergency meeting, the public body must also send "official correspondence" to the County Board of Commissioners of the County in which the public body is principally located explaining the emergency meeting. The County's correspondence must include the notice (including the explanation) and can be sent by first class or electronic mail.
- PA 528 also clarified that the durational requirements for notices is the time that the notices are accessible to the public. Put another way, if the OMA requires 18 hour notice for a meeting, the notice must be accessible to the public for the entire 18 hours.

Since the amendment may require the public body to post on its website with short notice, the public body should be aware of this new law before its next applicable meeting.