

Senate Fiscal Agency
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SFA



BILL ANALYSIS

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House Bill 5499 (Substitute H-1 as passed by the House)
House Bill 5500 (Substitute H-2 as passed by the House)
Sponsor: Representative Andrew Raczkowski (House Bill 5499)
Representative Mark Schauer (House Bill 5500)
House Committee: Consumer Protection
Senate Committee: Technology and Energy

Date Completed: 5-19-98

CONTENT

The bills would amend the Michigan Consumer Protection Act to prohibit a person from listing a telephone number that forwarded calls to a business outside the State, without disclosing the out-of-State address; and to prohibit a person from advertising an out-of-State business that failed to identify its location, or advertising a business address that misrepresented the actual location. A violator would be subject to a civil fine of at least \$100 but not more than \$10,000. The bills would not apply to a telephone service provider or to the publisher or distributor of a telephone service directory, unless the prohibited conduct were on behalf of that service provider, publisher, or directory.

The bills are tie-barred to each other.

House Bill 5499 (H-1)

The bill would prohibit a person from listing a business name or advertising an offer in a telephone directory if the business were located outside of Michigan, if that listing or offer included a local telephone exchange number that forwarded calls to an out-of-State business without disclosing the out-of-State address that would receive the forwarded call.

House Bill 5500 (H-2)

The bill would prohibit a person from advertising or causing to be listed in a telephone directory a business that failed to identify the locality and state where the business was located, if the business were located outside of Michigan.

The bill also would prohibit a person from advertising or causing to be listed in a telephone directory a business address that misrepresented where the business was actually located or operating, or falsely stated that the business was located or operating in the same area covered by the directory, if that listing included a local telephone exchange number that forwarded calls to an out-of-State or out-of-area location.

Proposed MCL 445.903c (H.B. 5499)
Proposed MCL 445.903d (H.B. 5500)

Legislative Analyst: S. Lowe

FISCAL IMPACT

The bills would have an indeterminate fiscal impact. Enforcement costs and revenue from fines would depend on the number of violations.

Fiscal Analyst: B. Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.