

HOUSE BILL NO. 4768

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948), by adding section 2964.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2964. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A
2 PERSON SHALL NOT REQUIRE THAT A SOCIAL SECURITY OR CREDIT CARD
3 NUMBER BE WRITTEN ON A CHECK AS A CONDITION OF ACCEPTANCE OF THAT
4 CHECK. AS USED IN THIS SECTION, "CHECK" INCLUDES A DRAFT, WAR-
5 RANT, OR ANY OTHER INSTRUMENT THAT AUTHORIZES THE PAYMENT OF
6 MONEY.

7 (2) THIS SECTION DOES NOT PROHIBIT ANY OF THE FOLLOWING:

8 (A) A CREDIT GRANTING INSTITUTION FROM REQUIRING ITS OWN
9 ACCOUNT NUMBER TO BE RECORDED ON A CHECK.

1 (B) A GOVERNMENTAL ENTITY FROM REQUIRING A PERSON TO RECORD
2 HIS OR HER SOCIAL SECURITY NUMBER ON A CHECK MADE FOR A PAYMENT
3 ON A TAX LIABILITY.

4 (C) A PERSON THAT HAS AGREED TO ACCEPT A CHECK FROM A CREDIT
5 CARD HOLDER IF THE CHECK IS GUARANTEED BY THE CREDIT CARD ISSUER
6 FROM REQUIRING THE CREDIT CARD NUMBER AND THE EXPIRATION DATE OF
7 THE CARD TO BE RECORDED ON THE CHECK.

8 (3) THE FOLLOWING IS PRIMA FACIE EVIDENCE OF THE IDENTITY OF
9 THE DRAWER OF A CHECK:

10 (A) THE FOLLOWING DRAWER INFORMATION IF OBTAINED FROM THE
11 DRAWER AND RECORDED ON THE CHECK:

12 (i) NAME.

13 (ii) ADDRESS.

14 (iii) HOME OR WORK TELEPHONE NUMBER, IF ANY.

15 (iv) DRIVER LICENSE NUMBER, STATE IDENTIFICATION CARD
16 NUMBER, OR MILITARY IDENTIFICATION CARD NUMBER.

17 (B) THE SIGNATURE OF THE DRAWER IF WITNESSED AND INITIALED
18 BY THE PERSON RECEIVING THE CHECK.

19 (4) EXCEPT AS PROVIDED IN SUBSECTION (5), A PERSON WHO VIO-
20 LATES THIS SECTION IS RESPONSIBLE FOR A STATE CIVIL INFRACTION
21 PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00.

22 (5) IN A SALE AT RETAIL, IT IS THE OWNER OF THE BUSINESS
23 THAT IS LIABLE FOR A VIOLATION UNDER THIS SECTION AND IS RESPON-
24 SIBLE FOR A STATE CIVIL INFRACTION PUNISHABLE BY A FINE OF NOT
25 MORE THAN \$500.00.

26 (6) AS USED IN THIS SECTION, "SALE AT RETAIL" MEANS A
27 TRANSACTION BY WHICH OWNERSHIP OR LEASING OF TANGIBLE PERSONAL

HB 4768, As Passed Senate, October 29, 1997

HB 4768 as amended October 28, 1997

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1 PROPERTY IS TRANSFERRED OR LEASED FOR CONSIDERATION, IF MADE IN
2 THE ORDINARY COURSE OF BUSINESS.

3 Enacting section 1. This amendatory act takes effect November
4 1, 1997.