

Act No. 189
Public Acts of 1997
Approved by the Governor
December 30, 1997
Filed with the Secretary of State
December 30, 1997
EFFECTIVE DATE: December 30, 1997

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1997

Introduced by Rep. Law

ENROLLED HOUSE BILL No. 4661

AN ACT to amend 1996 PA 386, entitled "An act to regulate the sale and purchase of viatical settlement contracts; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties," by amending section 8 (MCL 550.528).

The People of the State of Michigan enact:

Sec. 8. (1) The commissioner may issue an order prohibiting the provider from entering into a viatical settlement contract in this state if the commissioner finds any of the following:

- (a) The provider has been fraudulent or engaged in dishonest practices.
- (b) The provider demonstrates a pattern of unreasonable payments to policy owners.
- (c) The provider has been convicted of a felony or any misdemeanor that involved criminal fraud.
- (d) The provider has violated a provision of this act.

(2) In addition to the order under subsection (1), the commissioner may order any of the following:

- (a) Payment of a civil fine of not more than \$500.00 for each violation.
- (b) If the provider knew or reasonably should have known that the provider was in violation of this act, the repayment of all consideration paid by or on behalf of a viator for a viatical settlement contract affected by the violation and a civil fine of not more than \$2,500.00 for each violation.
- (c) A cease and desist order.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.