

Act No. 93
Public Acts of 1998
Approved by the Governor
May 14, 1998
Filed with the Secretary of State
May 14, 1998

EFFECTIVE DATE: 91st day after final adjournment of 1998 Regular Session

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Reps. Crissman, Brackenridge, Goschka, Hammerstrom, Dobb, Bodem, Middleton, Gernaat
and Dalman

ENROLLED HOUSE BILL No. 4972

AN ACT to amend 1990 PA 48, entitled "An act to prohibit the use of a facsimile machine to transmit unsolicited advertising messages; to prescribe the powers and duties of certain state agencies and officials; and to provide remedies and prescribe penalties," by amending section 6 (MCL 445.1776).

The People of the State of Michigan enact:

Sec. 6. A person who receives an advertisement in violation of this act may file a civil suit in the court of proper jurisdiction to recover actual damages or \$500.00, whichever is greater, plus reasonable attorney fees, if any of the following occurred before the person received the advertisement:

- (a) The attorney general issued a notice to cease and desist under section 3 to the person who sent the advertisement.
- (b) The person who sent the advertisement entered into an assurance of discontinuance under section 4.
- (c) The person notified the sender in writing that the sender did not have the person's consent to send an advertisement.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved _____

Governor.