

Act No. 260
Public Acts of 1998
Approved by the Governor
July 16, 1998
Filed with the Secretary of State
July 17, 1998
EFFECTIVE DATE: October 1, 1998

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Reps. Dobronski, Wallace, Gire, Brackenridge, Kelly, Schermesser, Wojno, Bogardus, Kaza, Martinez, Olshove, Wetters, Hale, Willard, Profit, Jelinek, Goschka, Ciaramitaro, Scott, Brater, Hood, Thomas and Dobb
Reps. Anthony, Baade, Baird, Basham, Birkholz, Bodem, Brown, Byl, Callahan, Crissman, DeHart, DeVuyt, Frank, Freeman, Gagliardi, Gernaat, Gilmer, Griffin, Gubow, Hanley, Harder, Horton, Jansen, Jaye, Jellema, Johnson, Kukuk, LaForge, London, Lowe, McBryde, McManus, McNutt, Middleton, Oxender, Parks, Price, Prusi, Richner, Rocca, Schauer, Scranton, Sikkema, Tesanovich, Varga, Vaughn, Voorhees and Whyman named co-sponsors
Reps. Dalman, Fitzgerald, Godchaux, Hammerstrom, Llewellyn, Mans and Rhead named co-sponsors

ENROLLED HOUSE BILL No. 5280

AN ACT to amend 1991 PA 179, entitled "An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date," (MCL 484.2101 to 484.2604) by adding section 505.

The People of the State of Michigan enact:

Sec. 505. (1) An end user of a telecommunications provider shall not be switched to another provider without the authorization of the end user.

(2) The commission shall issue orders to ensure that an end user of a telecommunications provider is not switched to another provider without the end user's oral authorization, written confirmation, confirmation through an independent third party, or other verification procedures subject to commission approval, confirming the end user's intent to make a switch and that the end user has approved the specific details of the switch. The order issued under this section shall require that all providers comply with the regulations established by the federal communications commission on verification procedures for the switching of an end user's telecommunications provider.

(3) As used in this section and section 506:

(a) "End user" means the retail subscriber of a telecommunications service.

(b) "Telecommunications provider" or "provider" means a person that provides 1 or more telecommunications services for compensation. Telecommunications provider does not include a provider of commercial mobile service as defined in section 332(d)(1) or part I of title III of the communications act of 1934, chapter 652, 96 Stat. 1096, 47 U.S.C. 332.

Enacting section 1. This amendatory act takes effect October 1, 1998.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 837 of the 89th Legislature is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives.



Secretary of the Senate.

Approved -----

Governor.