IDENTITY THEFT: DENYING CREDIT





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S.B. 798 (S-1): FLOOR ANALYSIS

Senate Bill 798 (Substitute S-1 as reported)

Sponsor: Senator Alan Sanborn

Committee: Judiciary

CONTENT

The bill would amend the Michigan Consumer Protection Act to prohibit as an unfair trade practice denying credit or public utility service to, or reducing the credit limit of, a consumer who was a victim of identity theft under the "Identity Theft Protection Act" (proposed by Senate Bill 792), if the person denying the credit or utility service or reducing the consumer's credit limit had prior knowledge that the consumer was a victim of identity theft. A person would be presumed to be a victim of identity theft if he or she possessed a valid victim certificate under the Code of Criminal Procedure (as Senate Bill 794 would provide for).

Senate Bill 798 (S-1) is tie-barred to Senate Bill 792 and would take effect on March 31, 2004.

MCL 445.903 Legislative Analyst: Patrick Affholter

FISCAL IMPACT

Enforcement costs and fine revenue would depend on the number of violations.

Date Completed: 11-17-03 Fiscal Analyst: Bill Bowerman