



Senate Fiscal Agency  
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**BILL ANALYSIS**

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Senate Bill 785 (Substitute S-1 as reported)  
Sponsor: Senator Michael D. Bishop  
Committee: Technology and Energy

**CONTENT**

The bill would amend the Michigan Children's Protection Registry Act to require a person who desired to send an e-mail message prohibited under the Act to obtain prior consent to receive the message from an age-verified adult. The bill also would increase from 0.03 cent to three cents the maximum amount of the fee stated in the Act for verifying compliance with the Child Protection Registry.

The Act requires the Department of Labor and Economic Growth (DLEG) to establish and operate the Child Protection Registry. A parent, guardian, or entity who is responsible for a contact point (e.g., an e-mail address) to which a minor has access may register that contact point with DLEG. Schools or other institutions or entities primarily serving minors also may register contact points.

The Act prohibits a person from sending a message to a registered contact point if the message's primary purpose is to advertise or otherwise link to a product or service that a minor is prohibited by law from purchasing, viewing, possessing, participating in, or otherwise receiving. A person who desires to send such a message must use a mechanism established by DLEG to verify compliance with the Registry, and pay DLEG a fee for access to the mechanism.

Under the bill, the sending of a message not be prohibited if, before sending it, the sender had obtained from an age-verified adult an affirmative statement of consent to receive the message at a designated e-mail address. The sender would have to take steps set forth in the bill to comply with this provision. The Department could implement procedures to verify that the sender was in compliance with the bill's requirements.

MCL 752.1061 et al.

Legislative Analyst: Julie Koval

**FISCAL IMPACT**

The Department of Labor and Economic Growth could have additional responsibilities due to the verification procedures proposed in the bill, but could likely meet these costs with existing resources. The bill would clarify the intended fee for checking against the Registry.

To the extent that the exemptions outlined in the bill resulted in fewer convictions, the bill could result in some cost savings for State and local criminal justice systems.

Date Completed: 10-7-05

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