

HOUSE BILL No. 6248

June 21, 2006, Introduced by Reps. Hune and Gaffney and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 126.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 126. (1) A WAIVER OF CUSTOMER LIABILITY AGREEMENT IS NOT
2 INSURANCE OR THE BUSINESS OF INSURANCE AND IS NOT SUBJECT TO THIS
3 ACT.

4 (2) AS USED IN THIS SECTION:

5 (A) "SERVICE PROVIDER" MEANS A PUBLIC OR PRIVATE PROVIDER OF
6 ELECTRICITY, NATURAL GAS, WATER, SEWER, SOLID WASTE COLLECTION, OR
7 ANY OTHER SIMILAR SERVICE, AND ANY PROVIDER OF COMMUNICATIONS
8 SERVICES INVOLVING THE TRANSMISSION OF DATA OR ANY OTHER
9 INFORMATION OR SIGNALS UTILIZING ANY MEDIUM OR METHOD, INCLUDING,

1 BUT NOT LIMITED TO, CABLE OR BROADBAND SERVICE, IP-ENABLED VOICE
2 SERVICE, CELLULAR OR MOBILE SERVICE, OR ANY OTHER SIMILAR SERVICE.

3 (B) "WAIVER OF CUSTOMER LIABILITY AGREEMENT" MEANS AN OPTIONAL
4 AGREEMENT BETWEEN A SERVICE PROVIDER AND A CUSTOMER OF THE SERVICE
5 PROVIDER UNDER WHICH THE SERVICE PROVIDER AGREES, IN RETURN FOR A
6 SPECIFIED CHARGE PAYABLE BY THE CUSTOMER TO THE SERVICE PROVIDER,
7 TO WAIVE ALL OR A PORTION OF THE CUSTOMER'S LIABILITY TO THE
8 SERVICE PROVIDER FOR INCURRED CHARGES DURING A DEFINED PERIOD IN
9 THE EVENT OF ANY OF THE FOLLOWING: THE CUSTOMER'S CALL TO ACTIVE
10 MILITARY SERVICE; INVOLUNTARY UNEMPLOYMENT; DEATH; DISABILITY;
11 HOSPITALIZATION; MARRIAGE; DIVORCE; EVACUATION; DISPLACEMENT DUE TO
12 NATURAL DISASTER OR OTHER CAUSE; QUALIFICATION FOR FAMILY LEAVE; OR
13 SIMILAR QUALIFYING EVENT OR CONDITION. A WAIVER OF CUSTOMER
14 LIABILITY MAY BE CONTAINED IN THE AGREEMENT UNDER WHICH THE SERVICE
15 PROVIDER PROVIDES SERVICES TO THE CUSTOMER OR IN A SEPARATE
16 AGREEMENT BETWEEN THE SERVICE PROVIDER AND THE CUSTOMER.