



Senate Fiscal Agency
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House Bill 4528 (as reported without amendment)
Sponsor: Representative Klint Kesto
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

CONTENT

The bill would repeal the following sections of the Michigan Immigration Clerical Assistant Act:

- Section 4, which prohibits an individual from providing services or offering to provide services, or acting as an immigration clerical assistant unless he or she is on a list established under the Act or is exempt from placement on the list.
- Section 7, which requires an immigration clerical assistant to apply to the Department of Licensing and Regulatory Affairs (LARA) for placement on the list and pay the appropriate fee.
- Section 9, which created the immigration clerical assistant list and requires LARA to impose certain application and renewal fees for placement on the list.
- Section 15, which requires an immigration clerical assistant to file and maintain in force a corporate surety or cash bond conditioned upon the faithful and competent provision of services.

In addition, the Act allows a person injured by an immigration clerical assistant to bring an action for equitable relief or damages, or both. The bill specifies that, in an action for damages, the court would have to award a prevailing plaintiff the amount of actual damages or, if the court found that the violation was willful, three times the plaintiff's actual damages.

MCL 338.3453 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on local units of government. As of fiscal year 2011-12, there were seven individuals listed as immigration clerical assistants. Listings are renewed triennially, and do not represent a significant source of revenue or expenditures for LARA.

Date Completed: 5-8-14

Fiscal Analyst: Josh Sefton