



SENATE BILL No. 1056

September 7, 2016, Introduced by Senators O'BRIEN and MACGREGOR and referred to the Committee on Banking and Financial Institutions.

A bill to amend 2006 PA 250, entitled
"Money transmission services act,"
by amending section 4 (MCL 487.1004).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. This act does not apply to any of the following:

2 (a) The United States or a department, agency, or
3 instrumentality of the United States.

4 (b) Money transmission services **THAT ARE** provided by the
5 United States ~~postal service~~ **POSTAL SERVICE** or by a contractor on
6 behalf of the United States ~~postal service~~ **POSTAL SERVICE**.

7 (c) A state, county, city, or any other governmental
8 subdivision of a state.

9 (d) A depository financial institution, office of an

1 international banking corporation, or branch of a foreign bank; a
2 bank holding company or subsidiary, as those terms are defined in
3 section 2(a)(1) and 2(d) of the bank holding company act of 1956,
4 12 USC 1841; a bank service company organized under the bank
5 service company act, 12 USC 1861 to 1867; a subsidiary or affiliate
6 of a depository financial institution, or a subsidiary or affiliate
7 of a holding company of a depository financial institution, if the
8 depository financial institution maintains its main office or a
9 branch office in this state; a credit union service organization,
10 as that term is defined in section 102 of the credit union act,
11 2003 PA 215, MCL 490.102; or a corporation organized under the Edge
12 act, 12 USC 611 to 633.

13 **(E) AN AUTHORIZED REPRESENTATIVE OF AN ENTITY DESCRIBED IN**
14 **SUBDIVISION (D) .**

15 **(F)** ~~(e) Electronic~~ **AN ELECTRONIC** funds transfer of
16 governmental benefits for a federal, state, county, or governmental
17 agency by a contractor on behalf of the United States or a
18 department, agency, or instrumentality of the United States or a
19 state or governmental subdivision, agency, or instrumentality of a
20 state.

21 **(G)** ~~(f)~~ A board of trade **THAT IS** designated as a contract
22 market under the commodity exchange act, 7 USC 1 to 27f, or a
23 person that in the ordinary course of business provides clearance
24 and settlement services for a board of trade, to the extent of its
25 operation as or for that board.

26 **(H)** ~~(g)~~ A registered futures commission merchant under the
27 federal commodities laws, to the extent of its operation as a

1 merchant.

2 **(I)** ~~(h)~~—A person that provides clearance or settlement
3 services under a registration as a clearing agency or an exemption
4 from registration granted under the federal securities laws, to the
5 extent of its operation as a provider under this subdivision.

6 **(J)** ~~(i)~~—An operator of a payment system, to the extent that it
7 provides processing, clearing, settlement, or other similar
8 services between or among persons excluded ~~by~~ **UNDER** this section in
9 connection with wire transfers, credit card transactions, debit
10 card transactions, stored value transactions, automated
11 clearinghouse transfers, or other similar funds transfers or
12 transactions.

13 **(K)** ~~(j)~~—A person **THAT IS** registered as a securities broker-
14 dealer under federal or state securities laws, to the extent of its
15 operation as a registered broker-dealer.

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.