



Senate Fiscal Agency
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Lansing, Michigan 48909-7536

BILL



ANALYSIS

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Senate Bill 1176 (Substitute S-1 as reported)
Sponsor: Senator Mike Shirkey
Committee: Michigan Competitiveness

CONTENT

The bill would enact the "Personal Privacy Protection Act" to do the following:

- Prohibit a public agency from requiring an entity organized under Section 501(c) of the Internal Revenue Code to provide the agency with personal information, disclosing that information without permission, or requesting or requiring a contractor with the agency to provide it with a list of 501(c) entities to which it had provide financial or nonfinancial support.
- Specify that the Act would not preclude a lawful warrant for personal information, or a lawful request for discovery of personal information in litigation if the requestor satisfied certain requirements.
- Allow a person who alleged a violation of the Act to bring a civil action for appropriate injunctive relief, damages, or both, and prescribe damages for a violation.
- Prescribe a misdemeanor penalty for a person who knowingly violated the Act.
- Specify that the Act's requirements would not affect any provisions of the Michigan Campaign Finance Act.

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill could have an indeterminate negative fiscal impact on the State and local government. The bill would allow an individual to seek monetary damages from the State or a local government unit that was alleged to have violated the Act. Monetary damages an individual could seek through civil action under the bill would range from \$2,500, to \$7,500 for each violation. The amount of monetary damages to be paid out as a result of the bill is indeterminate and would depend upon the number of violations and the amount of damages awarded.

To the extent that changes in the bill led to increased misdemeanor arrests and prosecutions, it could increase resource demands on law enforcement, court systems, and jails. Any increased penal fine revenue would be dedicated to public libraries.

Date Completed: 11-30-18

Fiscal Analyst: Abbey Frazier