

SENATE BILL No. 728

December 13, 2017, Introduced by Senators MACGREGOR, O'BRIEN and HANSEN and referred to the Committee on Banking and Financial Institutions.

A bill to amend 1984 PA 379, entitled

"An act to define and regulate certain credit card transactions, agreements, charges, and disclosures; to prescribe the powers and duties of the financial institutions bureau and certain state agencies; to provide for the promulgation of rules; and to provide for fines and penalties,"

by amending the title and section 1 (MCL 493.101).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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TITLE

An act to define and regulate certain credit card transactions, agreements, charges, and disclosures; ~~to prescribe the powers and duties of the financial institutions bureau and certain state agencies;~~ **TO PROVIDE FOR THE POWERS AND DUTIES OF CERTAIN STATE AND LOCAL GOVERNMENTAL OFFICERS AND ENTITIES;** to provide for the promulgation of rules; and to provide ~~for fines~~ **REMEDIES** and penalties.

Sec. 1. As used in this act:

1 (a) "Commissioner" means the ~~commissioner of the financial~~
 2 ~~institutions bureau of the department of commerce and authorized~~
 3 ~~representatives of the commissioner.~~ **DIRECTOR OF THE DEPARTMENT OF**
 4 **INSURANCE AND FINANCIAL SERVICES OR HIS OR HER AUTHORIZED**
 5 **REPRESENTATIVE.**

6 (b) "Licensee" means a person **THAT IS** licensed under this act.

7 (c) "Person" means an individual, corporation, **LIMITED**
 8 **LIABILITY COMPANY**, partnership, association, or other legal entity.

9 (d) "Credit card arrangement" means ~~an unsecured~~ **A** loan or
 10 ~~unsecured~~ extension of credit **THAT MEETS ALL OF THE FOLLOWING:**

11 (i) **IS UNSECURED.**

12 (ii) **IS MADE FOR A PERSONAL, FAMILY, OR HOUSEHOLD PURPOSE.**

13 (iii) **IS** made to the holder of a credit card or charge card.
 14 ~~which loan or extension of credit is accessed in connection with~~

15 (iv) **REQUIRES USE OF** a credit card or charge card authorized
 16 ~~by~~ **UNDER** this act **TO ACCESS THE PROCEEDS OF THE LOAN OR EXTENSION**
 17 **OF CREDIT.**

18 (e) "Credit card" or "charge card" means any card or device
 19 **THAT IS** issued by a licensee under a credit card arrangement ~~which~~
 20 ~~arrangement gives to a cardholder the privilege of obtaining~~ **THAT**
 21 **ALLOWS THE CARDHOLDER TO OBTAIN** credit from the card issuer or any
 22 other person ~~in purchasing or leasing~~ **TO PURCHASE OR LEASE** property
 23 or services, ~~obtaining~~ **OBTAIN A LOAN OR** credit, ~~or loans,~~ or
 24 ~~otherwise.~~ **FOR ANY OTHER PURPOSE.**

25 (f) "Truth in lending act" means ~~title I of the consumer~~
 26 ~~credit protection act, Public Law 90-321, 15 U.S.C. 1601 to~~
 27 ~~1667e.~~ **THE TRUTH IN LENDING ACT, 15 USC 1601 TO 1667F.**

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