

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:

1 TITLE

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

9 Sec. 1. As used in this act:

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

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

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

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

(i) IS UNSECURED.

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

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

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

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

(f) "Truth in lending act" means ~~title I of the consumer credit protection act, Public Law 90-321, 15 U.S.C. 1601 to 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.