

**SUBSTITUTE FOR
SENATE BILL NO. 970**

A bill to amend 1993 PA 327, entitled
"Tobacco products tax act,"
by amending sections 2 and 11 (MCL 205.422 and 205.431), section 2
as amended by 2012 PA 188 and section 11 as amended by 2016 PA 86.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 **(a) "Cigar" means any roll of tobacco wrapped in leaf tobacco**
3 **or in any substance containing tobacco. Cigar does not include a**
4 **cigarette.**

5 **(b) ~~(a)~~**"Cigarette" means a roll for smoking made wholly or in
6 part of tobacco, irrespective of size or shape and irrespective of
7 the tobacco being flavored, adulterated, or mixed with any other
8 ingredient, which roll has a wrapper or cover made of paper or any

1 other material. Cigarette does not include cigars.

2 **(c)** ~~(b)~~ "Cigarette making machine" means any machine or other
3 mechanical device which meets all of the following criteria:

4 (i) Is capable of being loaded with loose tobacco, cigarette
5 tubes or cigarette papers, and any other components related to the
6 production of cigarettes, including, but not limited to, cigarette
7 filters.

8 (ii) Is designed to automatically or mechanically produce,
9 roll, fill, dispense, or otherwise generate cigarettes.

10 (iii) Is commercial-grade or otherwise designed or suitable for
11 commercial use.

12 (iv) Is designed to be powered or otherwise operated by a main
13 or primary power source other than human power.

14 **(d)** ~~(e)~~ "Commissioner" means the state treasurer.

15 **(e) "Container" or "shipping case" means an individual**
16 **receptacle within which a tobacco product or group of tobacco**
17 **products is placed for shipment or distribution, such as a box or a**
18 **tote. A container or shipping case does not include any of the**
19 **following:**

20 (i) An individual package of cigarettes or cigarette carton.

21 (ii) The package or other article containing the tobacco
22 product that is sold directly to the ultimate consumer.

23 (iii) A bag or similar package containing bulk or loose hookah
24 tobacco, pipe tobacco, or roll-your-own cigarette tobacco that a
25 retailer uses to fill bins, barrels, or tubs located at the
26 retailer's place of business from which either the retailer sells a
27 specified quantity of those tobacco products or a blend or mixture
28 of those tobacco products to the consumer, or the consumer removes
29 or draws a specified quantity of those tobacco products or a blend

1 or mixture of those tobacco products for purchase at retail from
2 the retailer.

3 (iv) A pallet or similar article or device upon which an
4 individual receptacle or group of receptacles, containing the
5 tobacco products, is placed for shipment or distribution.

6 (v) Property used as a protective covering, or to keep items
7 together during shipment or distribution, a receptacle or group of
8 receptacles within which the tobacco product is placed for shipment
9 or distribution including shrink wrap or other wrapping materials,
10 but excluding the protective covering which forms, gives shape to,
11 or otherwise constitutes the receptacle within which the tobacco
12 product is placed for shipment or distribution.

13 (f) ~~(d)~~—"Counterfeit cigarette" means a cigarette in an
14 individual package of cigarettes or other container with a false
15 manufacturing label or a cigarette in an individual package of
16 cigarettes or other container with a counterfeit stamp.

17 (g) ~~(e)~~—"Counterfeit cigarette paper" means a cigarette paper
18 with a false manufacturing label or that has not been printed,
19 manufactured, or made by authority of the trademark owner.

20 (h) ~~(f)~~—"Counterfeit stamp" means any stamp, label, or print,
21 indicium, or character, that evidences, or purports to evidence,
22 the payment of any tax levied under this act and that has not been
23 printed, manufactured, or made by authority of the department as
24 provided in this act and has not been issued, sold, or circulated
25 by the department.

26 (i) ~~(g)~~—"Department" means the department of treasury.

27 (j) ~~(h)~~—"Financially sound" means a determination by the
28 department that the wholesaler or unclassified acquirer is able to
29 pay ~~for its stamps~~ **the tax due on the tobacco products it sells,**

1 **imports, or acquires, as applicable,** in the ordinary course of
 2 business based on criteria including, but not limited to, all of
 3 the following:

4 (i) Past filing and payment history with the department.

5 (ii) Outstanding liabilities.

6 (iii) Review of current financial statements including, but not
 7 limited to, balance sheets and income statements.

8 (iv) Duration that the wholesaler or unclassified acquirer has
 9 been licensed under this act.

10 **(v) Ability to pay for its stamps, if required under this act.**

11 **(k) ~~(i)~~**—"Gray market cigarette" means any cigarette the
 12 package of which bears any statement, label, stamp, sticker, or
 13 notice indicating that the manufacturer did not intend the
 14 cigarettes to be sold, distributed, or used in the United States,
 15 including, but not limited to, a label stating "For Export Only",
 16 "U.S. Tax Exempt", "For Use Outside U.S.", or similar wording.

17 **(l) ~~(j)~~**—"Gray market cigarette paper" means any cigarette paper
 18 the package of which bears any statement, label, stamp, sticker, or
 19 notice indicating that the manufacturer did not intend the
 20 cigarette papers to be sold, distributed, or used in the United
 21 States, including, but not limited to, a label stating "For Export
 22 Only", "U.S. Tax Exempt", "For Use Outside U.S.", "For Use in
 23 _____ (another country) Only", or similar wording.

24 **(m) "Hookah tobacco" means tobacco sold in loose or bulk form**
 25 **that is intended for consumption by smoking in a hookah and that is**
 26 **flavored with honey, molasses, fruit, or other flavors. Hookah**
 27 **tobacco includes those products commonly known or referred to as**
 28 **narghile, argileh, shisha, hubble-bubble, or goza.**

29 **(n) "Hookah" means a device used for smoking hookah tobacco**

1 that consists of a tube connected to a chamber where the smoke is
2 cooled passing through water.

3 (o) ~~(k)~~ "Individual package" means an individual packet or
4 pack used to contain or to convey cigarettes to the consumer.
5 Individual package does not include cartons, cases, or shipping or
6 storage containers that contain smaller packaging units of
7 cigarettes.

8 (p) ~~(l)~~ "Licensee" means a person licensed under this act.

9 (q) ~~(m)~~ "Manufacturer" means any of the following:

10 (i) ~~A~~ **Except as otherwise provided in this subdivision, a**
11 person who manufactures or produces a tobacco product.

12 (ii) A person who operates or who permits any other person to
13 operate a cigarette making machine in this state for the purpose of
14 producing, filling, rolling, dispensing, or otherwise generating
15 cigarettes. A person who is a manufacturer under this subparagraph
16 shall constitute a nonparticipating manufacturer for purposes of
17 sections 6c and 6d. A person who operates or otherwise uses a
18 machine or other mechanical device, other than a cigarette making
19 machine, to produce, roll, fill, dispense, or otherwise generate
20 cigarettes shall not be considered a manufacturer as long as the
21 cigarettes are produced or otherwise generated in that person's
22 dwelling and for that person's self-consumption. For purposes of
23 this act, "self-consumption" means production for personal
24 consumption or use and not for sale, resale, or any other profit-
25 making endeavor.

26 (iii) **A person who does any of the following shall not be**
27 **considered a manufacturer:**

28 (A) **Mixes or blends 2 or more different tobacco products to**
29 **create a custom mix or blend of those products if each of the**

1 constituent tobacco products mixed or blended together is a
2 finished tobacco product that the person could or does otherwise
3 sell to consumers and upon which the tax under this act has been
4 paid.

5 (B) Creates or produces, by filling a fruit with hookah
6 tobacco, what is commonly known as a fruit bowl or fruit head for
7 use in a hookah.

8 (C) Rolls a cigar for his or her own self-consumption.

9 (r) ~~(n)~~ "Noncigarette smoking tobacco" means tobacco sold in
10 loose or bulk form that is intended for consumption by smoking and
11 also includes roll-your-own cigarette tobacco, **hookah tobacco, pipe**
12 **tobacco, or a wrap.**

13 (s) ~~(e)~~ "Person" means an individual, partnership, fiduciary,
14 association, limited liability company, corporation, or other legal
15 entity.

16 (t) "Pipe tobacco" means any tobacco that, because of its
17 appearance, type, packaging, or labeling, is suitable for use and
18 likely to be offered to, or purchased by, consumers as tobacco to
19 smoke in a pipe.

20 (u) ~~(p)~~ "Place of business" means a place where a tobacco
21 product is sold or where a tobacco product is brought or kept for
22 the purpose of sale or consumption, including a vessel, airplane,
23 train, or vending machine.

24 (v) ~~(q)~~ "Retailer" means a person other than a transportation
25 company who operates a place of business **in this state, or who**
26 **directs, manages, or has control over the day-to-day operations of**
27 **a place of business in this state,** for the purpose of making sales
28 of a tobacco product at retail. **A person described in this**
29 **subdivision qualifies as a retailer regardless of whether that**

1 person owns the place of business.

2 (w) "Roll-your-own cigarette tobacco" means any tobacco which,
3 because of its appearance, type, packaging, or labeling, is
4 suitable for use and likely to be offered to, or purchased by,
5 consumers as tobacco for making cigarettes.

6 (x) ~~(r)~~—"Sale" means a transaction by which the ownership of
7 tangible personal property is transferred for consideration and
8 applies also to use, gifts, exchanges, barter, and theft.

9 (y) ~~(s)~~—"Secondary wholesaler" means a person who sells a
10 tobacco product for resale, who purchases a tobacco product from a
11 wholesaler or unclassified acquirer licensed under this act, and
12 who maintains an established place of business in this state where
13 a substantial portion of the business is the sale of tobacco
14 products and related merchandise at wholesale, and where at all
15 times a substantial stock of tobacco products and related
16 merchandise is available to retailers for resale.

17 (z) ~~(t)~~—"Smokeless tobacco" means snuff, **snus**, chewing
18 tobacco, **moist snuff**, and any other tobacco that is intended to be
19 **used or** consumed, **whether heated, chewed, absorbed, dissolved,**
20 **inhaled, snorted, sniffed, or ingested,** by **any** means other than
21 smoking **or combustion**.

22 (aa) ~~(u)~~—"Stamp" means a distinctive character, indication, or
23 mark, as determined by the department, attached or affixed to an
24 individual package of cigarettes by mechanical device or other
25 means authorized by the department to indicate that the tax imposed
26 under this act has been paid.

27 (bb) ~~(v)~~—"Stamping agent" means a wholesaler or unclassified
28 acquirer other than a manufacturer who is licensed and authorized
29 by the department to affix stamps to individual packages of

1 cigarettes on behalf of themselves and other wholesalers or
 2 unclassified acquirers other than manufacturers.

3 **(cc)** ~~(w)~~—"Tobacco product" means **a product containing any**
 4 **amount of tobacco regardless of form including, but not limited to,**
 5 cigarettes, cigars, noncigarette smoking tobacco, or smokeless
 6 tobacco. **A tobacco product does not include drugs, devices, or**
 7 **combination products authorized for sale by the United States Food**
 8 **and Drug Administration, as those terms are defined in the federal**
 9 **food, drug, and cosmetic act, 21 USC 351 to 360fff-7.**

10 **(dd)** ~~(*)~~—"Transportation company" means a person operating, or
 11 supplying to common carriers, cars, boats, or other vehicles for
 12 the transportation or accommodation of passengers and engaged in
 13 the sale of a tobacco product at retail.

14 **(ee)** ~~(y)~~—"Transporter" means a person importing or
 15 transporting into this state, or transporting in this state, a
 16 tobacco product obtained from a source located outside this state,
 17 or from any person not duly licensed under this act. Transporter
 18 does not include an interstate commerce carrier licensed by the
 19 interstate commerce commission, **or its successor federal agency,** to
 20 carry commodities in interstate commerce, or a licensee maintaining
 21 a warehouse or place of business outside of this state if the
 22 warehouse or place of business is licensed under this act.

23 **(ff)** ~~(z)~~—"Unclassified acquirer" means a person, except a
 24 transportation company or a purchaser at retail from a retailer
 25 licensed under the general sales tax act, 1933 PA 167, MCL 205.51
 26 to 205.78, who imports or acquires a tobacco product from a source
 27 other than a wholesaler or secondary wholesaler licensed under this
 28 act for use, sale, or distribution **in this state.** Unclassified
 29 acquirer also means a person who **purchases or receives** ~~cigars,~~

1 ~~none~~cigarette smoking tobacco, or smokeless tobacco **products**
 2 directly from a manufacturer licensed under this act or from
 3 another source outside this state, which source is not licensed
 4 under this act. **An unclassified acquirer also includes a person not**
 5 **located in this state that sells a tobacco product, through a mail**
 6 **order, catalog sale, telephone order, internet sale, or any other**
 7 **means, to a retailer or other person in this state that is not**
 8 **licensed under this act as a wholesaler, unclassified acquirer**
 9 **other than a manufacturer, or secondary wholesaler.** An unclassified
 10 acquirer does not include a wholesaler.

11 (gg) ~~(aa)~~ "Vending machine operator" means a person who
 12 operates 1 or more vending machines **in this state** for the sale of a
 13 tobacco product and who purchases a tobacco product from a
 14 manufacturer, licensed wholesaler, or secondary wholesaler.

15 (hh) ~~(bb)~~ "Wholesale price" means the actual price paid **to a**
 16 **seller** for a tobacco product, ~~including any tax,~~ by a wholesaler or
 17 unclassified acquirer ~~to a manufacturer, excluding any discounts or~~
 18 ~~reductions in order to acquire that tobacco product from the~~
 19 **seller. The wholesale price includes any tax, fee, licensing, or**
 20 **other charge, except as otherwise provided in this subdivision,**
 21 **reflected on the invoice, bill of sale, purchase order, or other**
 22 **document evidencing the sale or purchase of the tobacco product.**
 23 **Wholesale price does not include, if separately stated on the**
 24 **invoice, bill of sale, purchase order, or other document evidencing**
 25 **the sale of the tobacco product, shipping or handling charges for**
 26 **cigarettes, and reasonable shipping or handling charges for tobacco**
 27 **products other than cigarettes such as transportation, shipping,**
 28 **postage, handling, crating, or packing. When items or products,**
 29 **other than tobacco products, are included in a transaction for the**

1 purchase of tobacco products by a wholesaler or unclassified
2 acquirer, charges for those products or items that are not tobacco
3 products, including shipping and handling charges, may be excluded
4 from the wholesale price if separately stated on the invoice, bill
5 of sale, purchase order, or other document evidencing the sale or
6 purchase. The wholesale price shall not be reduced due to any
7 rebate, trade allowance, licensing or exclusivity agreement, volume
8 or other discount, or any other reduction given by the seller or
9 passed on to or otherwise received by the wholesaler or
10 unclassified acquirer from the seller. If the wholesaler or
11 unclassified acquirer has a relationship as described in section
12 267(b) of the internal revenue code of 1986, 26 USC 267, with the
13 seller, the department may establish the wholesale price for the
14 tobacco products based on the best available information or any
15 other reasonable proxy for the wholesale price including, but not
16 limited to, the wholesale price paid by other taxpayers for those
17 tobacco products within the past 4 years.

18 (ii) ~~(ee)~~ "Wholesaler" means a person who purchases all or
19 part of ~~his or her~~ **its** tobacco products from a manufacturer ~~, and~~
20 who sells 75% or more of those tobacco products to others for
21 resale. ~~, and who maintains an established business where~~
22 ~~substantially all of the business is the sale of tobacco products~~
23 ~~or cigarettes and related merchandise at wholesale and where at all~~
24 ~~times a substantial stock of tobacco products and related~~
25 ~~merchandise is available to retailers for resale.~~ Wholesaler
26 includes a chain of stores retailing a tobacco product to the
27 consumer if 75% of its stock of tobacco products is purchased
28 directly from the manufacturer.

29 (jj) "Wrap" means an individual tobacco wrapper that is made

1 wholly or in part from tobacco, including reconstituted tobacco,
2 whether in the form of tobacco leaf, sheet, or tube, if the wrap is
3 designed to be offered, or is offered, for sale to consumers to
4 create or to use as a component part of a tobacco product.

5 Sec. 11. (1) A person, ~~either as principal or agent, not~~
6 **licensed under this act as either a wholesaler or unclassified**
7 **acquirer that is not a manufacturer**, shall not sell or solicit a
8 sale of a tobacco product to be shipped, mailed, or otherwise
9 **imported**, sent or brought into the state, to a person not a
10 ~~licensed manufacturer, licensed wholesaler, licensed secondary~~
11 ~~wholesaler, licensed vending machine operator, licensed~~
12 ~~unclassified acquirer, licensed transporter, or licensed~~
13 ~~transportation company~~, **licensed under this act**, unless the tobacco
14 product is to be sold ~~to or~~ through a ~~licensed wholesaler or~~
15 **unclassified acquirer other than a manufacturer, licensed under**
16 **this act.**

17 (2) A person, in this state, that is not licensed under this
18 act, shall not order, purchase, or otherwise engage in a
19 transaction to acquire a tobacco product that is to be shipped,
20 mailed, imported, sent, or brought into this state unless that
21 tobacco product is to be sold through a wholesaler or unclassified
22 acquirer other than a manufacturer, licensed under this act. A
23 tobacco product ordered, purchased, or acquired by a person in
24 violation of this subsection is contraband subject to seizure and
25 forfeiture under section 9. A person who violates this subsection
26 shall be considered to be in control or possession of a tobacco
27 product in violation of this act for purposes of section 8(1),
28 regardless of whether that tobacco product has been sold, consumed,
29 or otherwise disposed of. Any limitation on the tax applicable to

1 cigars under section 7(1)(g) shall not apply, or otherwise be taken
2 into account, for purposes of determining the liability for taxes
3 and penalties under section 8(1) arising from a violation of this
4 subsection.

5 (3) Except as provided in section 8(2) regarding
6 representatives of a licensed manufacturer, a retailer in this
7 state shall not purchase, possess, acquire for resale at retail, or
8 sell a tobacco product in this state unless that tobacco product
9 was purchased or otherwise acquired directly from a wholesaler,
10 unclassified acquirer other than a manufacturer, or secondary
11 wholesaler, licensed under this act. A retailer who violates this
12 subsection shall be considered to be in control or possession of a
13 tobacco product in violation of this act for purposes of section
14 8(1), regardless of whether that tobacco product has been sold,
15 consumed, or otherwise disposed of. Any limitation on the tax
16 applicable to cigars under section 7(1)(g) shall not apply, or
17 otherwise be taken into account, for purposes of determining the
18 liability for taxes and penalties under section 8(1) arising from a
19 violation of this subsection.

20 (4) A retailer shall be considered to have purchased or
21 otherwise acquired a tobacco product in compliance with subsection
22 (3) if all of the following conditions are met:

23 (a) The retailer obtains a copy of the license of the
24 wholesaler, secondary wholesaler, or unclassified acquirer other
25 than a manufacturer at the time of purchase or acquisition.

26 (b) The license described in subdivision (a) was not expired
27 at the time the tobacco product was purchased or otherwise acquired
28 by the retailer.

29 (c) The copy of the license is preserved by the retailer in

1 the same manner, for the same period of time, and offered for
2 inspection as required of other statements and records under
3 section 6.

4 (5) Notwithstanding anything in this act to the contrary, a
5 licensee may provide a copy of its license to a retailer for
6 purposes of this section. A retailer that obtains a copy of the
7 license for a particular licensee under this section is not
8 required to obtain another copy of the license for subsequent
9 purchases or acquisitions of tobacco products from that licensee
10 which are made during the active license year and prior to the
11 expiration of that license.

12 (6) ~~(2) All~~ Subject to subsection (1), all sales conducted
13 through the ~~Internet, internet~~, by telephone, or in a mail-order
14 transaction shall not be completed unless, before each delivery of
15 ~~cigarettes~~ **tobacco products** is made, whether through the mail,
16 through a transportation company, or through any other delivery
17 system, the seller has obtained from the purchaser an affirmation
18 that includes a copy of a valid government-issued document that
19 confirms the purchaser's name, address, and date of birth showing
20 that the purchaser is at least the legal minimum age to purchase
21 ~~cigarettes~~ **tobacco products**; that the ~~cigarettes~~ **tobacco products**
22 purchased are not intended for consumption by an individual who is
23 younger than the legal minimum age to purchase ~~cigarettes~~ **tobacco**
24 **products**; and a written statement signed by the purchaser that
25 affirms the purchaser's address and that the purchaser is at least
26 the minimum legal age to purchase ~~cigarettes~~ **tobacco products**. The
27 statement shall also confirm that the purchaser understands that
28 signing another person's name to the affirmation is illegal; that
29 the sale of ~~cigarettes~~ **tobacco products** to individuals under the

1 legal minimum purchase age is illegal; and that the purchase of
 2 ~~cigarettes~~ **tobacco products** by individuals under the legal minimum
 3 purchase age is illegal under the laws of the state of Michigan.
 4 The seller shall verify the information contained in the
 5 affirmation provided by the purchaser against a commercially
 6 available database of governmental records, or obtain a photocopy,
 7 fax copy, or other image of the valid, government-issued
 8 identification stating the date of birth or age of the purchaser.

9 **(7) ~~(3) All~~ Subject to subsection (1), all** invoices, bills of
 10 lading, sales receipts, or other documents related to ~~cigarette~~
 11 **tobacco product** sales conducted through the internet, by telephone,
 12 or in a mail-order transaction shall contain the current seller's
 13 valid Michigan sales tax ~~registration number,~~ **license number or use**
 14 **tax registration number**, business name and address of the seller,
 15 and a statement as to whether all sales taxes **or use taxes, as**
 16 **applicable**, and taxes levied under this act have been paid. All
 17 packages of ~~cigarettes~~ **tobacco products** shipped from a ~~cigarette~~
 18 **tobacco product** seller to purchasers who reside in Michigan shall
 19 clearly print or stamp the package with the word **"CIGARETTES"**
 20 **"TOBACCO PRODUCTS"** on the outside of all sides of the package so it
 21 is clearly visible to the shipper. ~~In addition, the package shall~~
 22 ~~contain an externally visible and clearly legible notice located on~~
 23 ~~the same side of the package as the address to which the package is~~
 24 ~~delivered, as follows:~~

25 ~~"IF THESE CIGARETTES HAVE BEEN SHIPPED TO YOU FROM A SELLER~~
 26 ~~LOCATED OUTSIDE OF THE STATE IN WHICH YOU RESIDE, THE SELLER HAS~~
 27 ~~REPORTED UNDER FEDERAL LAW THE SALE OF THESE CIGARETTES TO OUR~~
 28 ~~STATE TAX COLLECTION AGENCY, INCLUDING YOUR NAME AND ADDRESS. YOU~~
 29 ~~ARE LEGALLY RESPONSIBLE FOR ALL APPLICABLE UNPAID STATE TAXES ON~~

1 ~~THESE CIGARETTES."~~

2 If an order is made as a result of advertisement over the
3 ~~Internet,~~ **internet**, the tobacco retailer shall request the
4 electronic mail address of the purchaser and shall receive payment
5 by credit card or check before ~~shipping.~~ **completing the sale.** This
6 subsection ~~and subsection (2) do~~ **does** not apply to sales by
7 wholesalers and unclassified acquirers **licensed under this act.**

8 (8) ~~(4)~~ The deliverer of the ~~cigarettes~~ **tobacco products** is
9 required to obtain proof from a valid government-issued document
10 that the person signing for the ~~cigarettes~~ **tobacco products** is the
11 purchaser.

12 (9) ~~(5)~~ Beginning November 1, 2012, a retailer ~~that is not~~
13 ~~licensed as an unclassified acquirer, retail importer of tobacco~~
14 ~~products other than cigarettes,~~ **not otherwise licensed or required**
15 **to be licensed under this act** shall post a sign, visible to the
16 public inside the retail establishment that informs purchasers of
17 cigars through catalog sales, **telephone or mail orders**, or ~~Internet~~
18 **internet** sales of their ~~responsibility to pay all~~ **liability for any**
19 applicable unpaid state taxes on those cigars **and that cigars**
20 **purchased in violation of this act are contraband.**

21 (10) ~~(6)~~ As used in this section:

22 (a) "Computer" means any connected, directly interoperable or
23 interactive device, equipment, or facility that uses a computer
24 program or other instructions to perform specific operations,
25 including logical, arithmetic, or memory functions with or on
26 computer data or a computer program, and that can store, retrieve,
27 alter, or communicate the results of the operations to a person,
28 computer program, computer, computer system, or computer network.

29 (b) "Computer network" means the interconnection of hardware

1 or wireless communication lines with a computer through remote
2 terminals or a complex consisting of 2 or more interconnected
3 computers.

4 (c) "Computer program" means a series of internal or external
5 instructions communicated in a form acceptable to a computer that
6 directs the functioning of a computer, computer system, or computer
7 network in a manner designed to provide or produce products or
8 results from the computer, computer system, or computer network.

9 (d) "Computer system" means related, connected or unconnected,
10 computer equipment, devices, software, or hardware.

11 (e) "Credit card" means a card or device issued by a person
12 licensed under 1984 PA 379, MCL 493.101 to 493.114, or under the
13 consumer financial services act, 1988 PA 161, MCL 487.2051 to
14 487.2072, or issued by a depository financial institution as
15 defined in section 1a of the mortgage brokers, lenders, and
16 services licensing act, 1987 PA 173, MCL 445.1651a, under a credit
17 card arrangement.

18 (f) "Device" includes, but is not limited to, an electronic,
19 magnetic, electrochemical, biochemical, hydraulic, optical, or
20 organic object that performs input, output, or storage functions by
21 the manipulation of electronic, magnetic, or other impulses.

22 (g) "Internet" means the connection to the World Wide Web
23 through the use of a computer, a computer network, or a computer
24 system.

25 (h) "Sale conducted through the ~~Internet~~-**internet**" means a
26 sale of, a solicitation to sell, a purchase of, or an offer to
27 purchase ~~cigarettes~~-**tobacco products** conducted all or in part by
28 accessing an ~~Internet~~-**internet** website.