

# SENATE BILL NO. 415

August 20, 2019, Introduced by Senator NESBITT and referred to the Committee on Insurance and Banking.

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

1 transactions, agreements, charges, and disclosures; ~~to prescribe~~  
 2 ~~the powers and duties of the financial institutions bureau and~~  
 3 ~~certain state agencies;~~ **to provide for the powers and duties of**  
 4 **certain state officers and entities;** to provide for the  
 5 promulgation of rules; and to provide ~~for fines~~ **remedies** and  
 6 penalties.

7 Sec. 1. As used in this act:

8 (a) "Commissioner" means the ~~commissioner of the financial~~  
 9 ~~institutions bureau of the department of commerce and authorized~~  
 10 ~~representatives of the commissioner.~~ **director of the department of**  
 11 **insurance and financial services or his or her authorized**  
 12 **representative.**

13 (b) "Licensee" means a person **that is** licensed under this act.

14 (c) "Person" means an individual, corporation, **limited**  
 15 **liability company**, partnership, association, or other legal entity.

16 (d) "Credit card arrangement" means ~~an unsecured~~ **a** loan or  
 17 ~~unsecured~~ extension of credit **that meets all of the following:**

18 (i) **Is unsecured.**

19 (ii) **Is made for a personal, family, or household purpose.**

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

22 (iv) **Requires use of** a credit card or charge card authorized ~~by~~  
 23 **under** this act **to access the proceeds of the loan or extension of**  
 24 **credit.**

25 (e) "Credit card" or "charge card" means any card or device  
 26 **that is** issued by a licensee under a credit card arrangement ~~which~~  
 27 ~~arrangement gives to a cardholder the privilege of obtaining~~ **that**  
 28 **allows the cardholder to obtain** credit from the card issuer or any  
 29 other person ~~in purchasing or leasing~~ **to purchase or lease** property

1 or services, ~~obtaining~~**obtain a loan or** credit, ~~or loans, or~~  
2 ~~otherwise.~~**for any other purpose.**

3 (f) "Truth in lending act" means ~~title I of the consumer~~  
4 ~~credit protection act, Public Law 90-321, 15 U.S.C. 1601 to~~  
5 ~~1667e.~~**the truth in lending act, 15 USC 1601 to 1667f.**

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