

MICHIGAN IMMIGRATION CLERICAL ASSISTANT ACT (EXCERPT)
Act 161 of 2004

338.3453 Definitions.

Sec. 3. As used in this act:

(a) "Business relationship" means a relationship with any of the following:

(i) An individual who serves as a designated school official or principal designated school official as defined by the United States citizenship and immigration services, but only when acting within the scope of authority in that capacity on behalf of the designated educational institution.

(ii) An individual who serves as a responsible officer or alternate responsible officer as defined by the United States department of state, but only when acting within the scope of authority in that capacity on behalf of the designated exchange visitor program.

(iii) An individual who is regularly employed by an employer other than a sole proprietorship in a position that requires that employee to process immigration matters on behalf of and as a representative of the employer relative to employment by an employee or prospective employee only with the employer and who receives no compensation, directly or indirectly, from those employees or prospective employees.

(iv) An individual who is employed by a federal or state elected official involved in the processing of a visa application or petition on behalf of or as a representative of a constituent.

(b) "Compensation" means money, donations, property, promise of payment, or anything else of value required in exchange for a person's services.

(c) "Consumer" means an individual who utilizes or seeks to utilize the services of an immigration clerical assistant.

(d) "Immigration clerical assistant" means any individual who provides or offers to provide services, for compensation, relating to any immigration matter.

(e) "Immigration matter" means any matter affecting the immigrant status, nonimmigrant status, or citizenship status of any individual and includes, but is not limited to, federal or state administrative or court proceedings or the filing of accompanying documents in those proceedings, or both.

(f) "Services" means any action taken on behalf of any consumer for the benefit of that consumer or another individual regarding the immigrant status, nonimmigrant status, or citizenship status of any consumer or other individual, and includes, but is not limited to, the following:

(i) Transcribing responses onto government agency forms on behalf of a consumer relating to an immigration matter.

(ii) Translating information from a government agency form to a language other than English and translating responses on behalf of a consumer relating to an immigration matter.

(iii) Drafting or completing an application or other paper on behalf of a consumer in an immigration matter.

(iv) Giving advice to a consumer in an immigration matter.

(g) "Solicit" means any contact with a specific consumer by an immigration clerical assistant or his or her agent, representative, or employee about providing services, for compensation, regarding an immigration matter. Solicit does not include letters or advertising distributed generally to persons that are not known to need the services of an immigration clerical assistant.

History: 2004, Act 161, Eff. Oct. 1, 2004;—Am. 2014, Act 174, Imd. Eff. June 17, 2014.