

EMERGENCY 9-1-1 SERVICE ENABLING ACT (EXCERPT)
Act 32 of 1986

***** 484.1403 THIS SECTION IS REPEALED BY ACT 126 OF 2021 EFFECTIVE DECEMBER 31, 2027

484.1403 Responsibility for billing charge and transmitting money; notification of failure to report, charge, collect, or transmit charges; civil action; other actions authorized by law; prohibition on investigation or commencement of civil action under certain circumstances.

Sec. 403. (1) Each service supplier is solely responsible for the billing of the state and county 9-1-1 charge and transmitting the money collected to the emergency 9-1-1 fund and to the counties as required under this act.

(2) The committee, a county, or a 9-1-1 service district shall notify the commission if the committee, county, or 9-1-1 service district is aware of a service supplier, CMRS supplier, reseller, or retailer of a prepaid wireless telecommunications service that has failed to report, charge, collect, or transmit the 9-1-1 charges in section 401a, 401b, or 401c. The committee, a county, or a 9-1-1 service district shall include with the notification under this subsection all information, testimony, exhibits, or other documents and information the committee, county, or 9-1-1 service district possesses that support the notification. Subject to subsection (5), before the attorney general commences a suit under subsection (3), the commission shall investigate any failure to report, charge, collect, or transmit charges and attempt to resolve those complaints. Before the commission initiates an investigation under this subsection, the commission shall consult with the department of treasury to determine whether the department of treasury initiated an examination or audit under section 401c.

(3) Subject to subsection (5), upon referral by the commission, the attorney general may commence a civil action against a service supplier, CMRS supplier, reseller, or retailer of a prepaid wireless telecommunications service for appropriate relief for failure to report, charge, collect, and transmit the state 9-1-1 charges in sections 401a and 401c. An action under this subsection may be brought in the Ingham County circuit court or the circuit court in a county in which the defendant resides or is doing business. The court has jurisdiction to restrain the violation and to require compliance with this section. Before the attorney general commences a civil action under this subsection, the attorney general shall consult with the department of treasury to determine whether the department of treasury initiated an examination or audit under section 401c.

(4) This section does not prohibit a county from taking any action authorized by law against an entity that fails to remit the county 9-1-1 charge under section 401b.

(5) If the department of treasury is examining or auditing a retailer of a prepaid wireless telecommunications service under section 401c, the commission shall not initiate an investigation and the attorney general shall not commence a civil action under this section against a retailer of a prepaid wireless telecommunications service for the same conduct that is being examined or audited by the department of treasury under section 401c.

History: 1986, Act 32, Imd. Eff. Mar. 17, 1986;—Am. 1994, Act 29, Imd. Eff. Mar. 2, 1994;—Am. 1999, Act 81, Imd. Eff. June 28, 1999;—Am. 2007, Act 165, Imd. Eff. Dec. 21, 2007;—Am. 2018, Act 51, Imd. Eff. Mar. 6, 2018;—Am. 2021, Act 126, Imd. Eff. Dec. 17, 2021.

Popular name: 9-1-1