

MONEY TRANSMISSION SERVICES ACT (EXCERPT)
Act 250 of 2006

487.1002 Definitions; A to L.

Sec. 2. As used in this act:

- (a) "Agency" or "department" means the department of insurance and financial services.
- (b) "Agent of a payee" means a person appointed by a payee to collect and process payments as the bona fide agent of the payee.
- (c) "Applicant" means a person that files an application for a license under this act.
- (d) "Authorized delegate" means a person that a licensee designates to provide money transmission services in this state on behalf of the licensee.
- (e) "Closed-loop prepaid access" means access to funds or the value of funds that is paid in advance, may be retrieved or transferred at some time in the future through a device or vehicle, and may be used only to acquire goods or services in transactions that involve 1 or more specific merchants or 1 or more specific locations.
- (f) "Commissioner" or "director" means the director of the department or his or her designee.
- (g) "Control" means any of the following:
 - (i) Ownership of, or the power to vote, directly or indirectly, at least 25% of a class of voting securities or voting interests of a licensee or person in control of a licensee.
 - (ii) Power to elect a majority of executive officers, managers, directors, trustees, or other persons exercising managerial authority of a licensee or person in control of a licensee.
 - (iii) The power to exercise directly or indirectly a controlling influence over the management or policies of a licensee or person in control of a licensee.
- (h) "Control person" means a director, manager, or executive officer of a licensee or applicant or an individual who has the authority to participate in the direction, directly or indirectly through 1 or more other individuals, of the management or policies of a licensee or applicant.
- (i) "Depository financial institution" means a bank, national bank, savings and loan association, savings bank, or credit union organized under the laws of this state, another state, the District of Columbia, the United States, or a territory or protectorate of the United States whose deposits are insured by an agency of the federal government.
- (j) "Device or vehicle" means an object or information used to provide closed-loop prepaid access or prepaid access, such as a card, code, electronic serial number, mobile identification number, or personal identification number. A device or vehicle may be in either tangible or electronic form.
- (k) "Executive officer" means an officer, member, or partner of a licensee, including, but not limited to, a chief executive officer, president, vice president, chief financial officer, controller, compliance officer, or any other similar position.
- (l) "Financial licensing act" means any of the financial licensing acts, as that term is defined in section 2 of the consumer financial services act, 1988 PA 161, MCL 487.2052.
- (m) "Licensee" means a person that is licensed or required to be licensed under this act.
- (n) "Location" means a place of business at which activities regulated by this act occur.

History: 2006, Act 250, Imd. Eff. July 3, 2006;—Am. 2018, Act 573, Eff. Mar. 28, 2019.