

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2964 Social security or credit card number on check as condition of acceptance; requirement prohibited; exceptions; prima facie evidence of identity; violation; penalty; "sale at retail" defined.

Sec. 2964. (1) Except as provided in subsection (2), a person shall not require that a social security or credit card number be written on a check as a condition of acceptance of that check. As used in this section, "check" includes a draft, warrant, or any other instrument that authorizes the payment of money.

(2) This section does not prohibit any of the following:

(a) A credit granting institution from requiring its own account number to be recorded on a check.

(b) A governmental entity from requiring a person to record his or her social security number on a check made for a payment on a tax liability.

(c) A person that has agreed to accept a check from a credit card holder if the check is guaranteed by the credit card issuer from requiring the credit card number and the expiration date of the card to be recorded on the check.

(3) The following is prima facie evidence of the identity of the drawer of a check:

(a) The following drawer information if obtained from the drawer and recorded on the check:

(i) Name.

(ii) Address.

(iii) Home or work telephone number, if any.

(iv) Driver license number, state identification card number, or military identification card number.

(b) The signature of the drawer if witnessed and initialed by the person receiving the check.

(4) Except as provided in subsection (5), a person who violates this section is responsible for a state civil infraction punishable by a fine of not more than \$500.00.

(5) In a sale at retail, it is the owner of the business that is liable for a violation under this section and is responsible for a state civil infraction punishable by a fine of not more than \$500.00.

(6) As used in this section, "sale at retail" means a transaction by which ownership or leasing of tangible personal property is transferred or leased for consideration, if made in the ordinary course of business.

History: Add. 1997, Act 157, Eff. Jan. 1, 1998.