

## ADDRESS CONFIDENTIALITY PROGRAM ACT (EXCERPT)

### Act 301 of 2020

#### **780.857 Use of designated address by governmental entity, employer, school, or institution of higher education; mail and service of process duties; inapplicable to municipally owned utility.**

Sec. 7. (1) A program participant may request that a governmental entity use the designated address as the program participant's address. Except as otherwise provided in subsection (6) and in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, if a request is made under this subsection, a governmental entity shall use the designated address. The program participant may provide his or her participation card as proof of his or her certification as a program participant.

(2) If a program participant's employer, school, or institution of higher education is not a governmental entity, the program participant may request that the employer, school, or institution of higher education use the designated address as the program participant's address.

(3) The department of technology, management, and budget shall, on each day the department of technology, management, and budget is open for business, place all first-class, registered, or certified mail of a program participant that the department of technology, management, and budget receives into an envelope or package and mail that envelope or package to the program participant at the mailing address the program participant provided on the application under section 5(3)(c) for that purpose. The department of technology, management, and budget may contract with the United States Postal Service for special rates for the mail forwarded under this subsection. Service by mail under this subsection of court papers, other than service of process, is complete 3 mailing days after the department of technology, management, and budget forwards the mail to the program participant.

(4) Upon receiving service of process on behalf of a program participant, the department of technology, management, and budget shall immediately forward the process by certified mail, return receipt requested, to the program participant at the mailing address the program participant provided on the application under section 5(3)(c) for that purpose.

(5) If a person intends to serve process on an individual and makes an inquiry with the department of the attorney general or the department of technology, management, and budget to determine if the individual is a program participant, the department of the attorney general or the department of technology, management, and budget shall only confirm that the individual is or is not a program participant and, except as otherwise allowed under this subsection, must not disclose further information regarding the program participant. If process has been forwarded to a program participant under subsection (4), the department of technology, management, and budget shall disclose the date of mailing to the person attempting to serve the program participant.

(6) Subsection (1) does not apply to a municipally owned utility. The confidential address of a program participant that is maintained by a municipally owned utility must not be released, and is not a public record and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

**History:** 2020, Act 301, Imd. Eff. Dec. 29, 2020.