

SENATE BILL No. 1423

October 5, 2000, Introduced by Senator BULLARD and referred to the Committee on Human Resources, Labor, Senior Citizens and Veterans Affairs.

A bill to amend 1976 PA 331, entitled
"Michigan consumer protection act,"
by amending section 4 (MCL 445.904), as amended by 1993 PA 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4. (1) This act does not apply to ~~either~~ ANY of the
2 following:

3 (a) A transaction or conduct specifically authorized under
4 laws administered by a regulatory board or officer acting under
5 statutory authority of this state or the United States.

6 (b) An act done by the publisher, owner, agent, or employee
7 of a newspaper, periodical, directory, radio or television sta-
8 tion, or other communications medium in the publication or dis-
9 semination of an advertisement unless the publisher, owner,
10 agent, or employee knows or, under the circumstances, reasonably
11 should know of the false, misleading, or deceptive character of

1 the advertisement or has a direct financial interest in the sale
2 or distribution of the advertised goods, property, or service.

3 (C) COMPLAINTS FILED ON OR AFTER JULY 1, 1999, BY A CUSTOMER
4 REGARDING BUILDING DEFECTS OR WORKMANSHIP; VIOLATIONS OF BUILDING
5 CODES OR ORDINANCES; OR ANY OTHER COMPLAINT FILED ON OR AFTER
6 JULY 1, 1999, AGAINST A PERSON LICENSED UNDER ARTICLE 24 OF THE
7 OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2401 TO 339.2412.

8 (D) COMPLAINTS FILED BY A CUSTOMER REGARDING A PERSON
9 LICENSED UNDER ARTICLE 25 OF THE OCCUPATIONAL CODE, 1980 PA 299,
10 MCL 339.2501 TO 339.2518.

11 (E) COMPLAINTS FILED BY A CUSTOMER REGARDING A PERSON
12 LICENSED UNDER 1929 PA 266, MCL 338.901 TO 338.917.

13 (F) COMPLAINTS FILED BY A CUSTOMER REGARDING A PERSON
14 LICENSED UNDER THE ELECTRICAL ADMINISTRATIVE ACT, 1956 PA 217,
15 MCL 338.881 TO 338.892.

16 (G) COMPLAINTS FILED BY A CUSTOMER REGARDING A PERSON
17 LICENSED UNDER THE FORBES MECHANICAL CONTRACTORS ACT, 1984
18 PA 192, MCL 338.971 TO 338.988.

19 (2) Except for the purposes of an action filed by a person
20 under section 11, this act does not apply to an unfair, uncon-
21 scionable, or deceptive method, act, or practice that is made
22 unlawful by:

23 (a) Chapter 20 of the insurance code of 1956, ~~Act No. 218~~
24 ~~of the Public Acts of 1956, as amended, being sections 500.2001~~
25 ~~to 500.2093 of the Michigan Compiled Laws~~ 1956 PA 218,
26 MCL 500.2001 TO 500.2093.

1 (b) The banking code of 1969, ~~Act No. 319 of the Public~~
2 ~~Acts of 1969, as amended, being sections 487.301 to 487.598 of~~
3 ~~the Michigan Compiled Laws 1969 PA 319, MCL 487.301 TO 487.598.~~

4 (c) ~~Act No. 3 of the Public Acts of 1939, as amended, being~~
5 ~~sections 460.1 to 460.8 of the Michigan Compiled Laws 1939 PA 3,~~
6 ~~MCL 460.1 TO 460.8.~~

7 (d) The motor carrier act, ~~Act No. 254 of the Public Acts~~
8 ~~of 1933, as amended, being sections 475.1 to 479.20 of the~~
9 ~~Michigan Compiled Laws 1933 PA 254, MCL 475.1 TO 479.43.~~

10 (e) ~~Act No. 125 of the Public Acts of 1963, being sections~~
11 ~~550.351 to 550.373 of the Michigan Compiled Laws 1963 PA 125,~~
12 ~~MCL 550.351 TO 550.373.~~

13 (3) The burden of proving an exemption from this act is upon
14 the person claiming the exemption.

15 Enacting section 1. This amendatory act does not take
16 effect unless Senate Bill No. 1422

17 of the 90th Legislature is enacted into
18 law.