



Senate Fiscal Agency
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House Bill 5558 (as reported without amendment)
Sponsor: Representative Tom Leonard
House Committee: Judiciary
Senate Committee: Insurance

(enacted version)

CONTENT

The bill would amend the Michigan Consumer Protection Act to specify that the Act would not apply to, or create, a cause of action for an unfair, unconscionable, or deceptive method, act, or practice that is made unlawful by Chapter 20 of the Insurance Code, if either of the following were met:

- The method, act, or practice occurred on or after March 28, 2001.
- The method, act, or practice occurred before March 28, 2001, except that this would not apply to or limit a cause of action concerning a method, act, or practice if the cause of action were filed in a court of competent jurisdiction on or before June 5, 2014.

(Chapter 20 of the Insurance Code, which is named the Uniform Trade Practices Act, prohibits practices in the insurance business that are considered unfair or deceptive or an unfair method of competition.)

The bill would be retroactive and would be effective March 28, 2001. The bill states, "This amendatory act is curative and intended to prevent any misinterpretation that this act applies to or creates a cause of action for an unfair, unconscionable, or deceptive method, act, or practice occurring before March 28, 2001 that is made unlawful by chapter 20 of the insurance code of 1956...that may result from the decision of the Michigan supreme court in Converse v Auto Club Group Ins Co, No. 142917, October 26, 2012."

MCL 445.904

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 6-11-14

Fiscal Analyst: Joe Carrasco