

LIVING CARE DISCLOSURE ACT (EXCERPT)
Act 440 of 1976

***** 554.833 THIS SECTION IS REPEALED BY ACT 448 OF 2014 EFFECTIVE APRIL 2, 2015 *****

554.833 Powers of bureau; circuit court orders; contempt.

Sec. 33. (1) The bureau may:

(a) Make public or private investigations within or without this state it considers necessary to determine if a person has violated or is about to violate this act or a rule or order promulgated or issued under this act, or to aid in the enforcement of this act or in the prescribing of rules and forms under this act, and may publish information concerning the violation of this act or a rule or order.

(b) Require or permit a person to file a statement under oath or otherwise as the bureau requires in writing as to all the facts and circumstances concerning the matter to be investigated. Failure to reply with all required information to a letter from the bureau within 15 days after receipt of the letter shall be the basis for issuance of a cease and desist order.

(2) For the purpose of an investigation or proceeding under this act, the bureau or an officer designated by it may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of books, papers, correspondence, memoranda, agreements, or other documents or records which the bureau considers relevant or material to the inquiry. Before any of the requirements of subsection (2) become operative, the bureau must obtain an order of the circuit court for said information by a showing that there is good cause that a violation has taken place or is about to take place and all of the subpoenas or orders must issue from said circuit court.

(3) In case of contumacy by, or refusal to obey a subpoena issued to a person, the circuit court, upon application by the bureau, may issue to the person an order requiring him to appear before the bureau, or an officer designated by it, to produce documentary evidence, if so ordered, or to give evidence touching the matter under investigation or question. Failure to obey the order of the court may be punished by the court as a contempt.

History: 1976, Act 440, Eff. July 1, 1977.

Compiler's note: For transfer of statutory authority, powers, duties, and functions of the corporations, securities and land development bureau to the office of financial and insurance services by type III transfer, see E.R.O. No. 2000-2, compiled at MCL 445.2003 of the Michigan compiled laws.

For transfer of securities division of office of finance and insurance regulation from office of finance and insurance regulation to department of licensing and regulatory affairs, see E.R.O. No. 2012-6, compiled at MCL 445.2034.