



HOUSE BILL No. 4209

January 30, 1995, Introduced by Reps. Pitoniak, DeHart, DeMars, Cherry, Walberg, Varga, Willard, Hanley, Berman, Vaughn, Baird and Brater and referred to the Committee on Commerce.

A bill to amend Act No. 328 of the Public Acts of 1931,
entitled as amended

"The Michigan penal code,"

as amended, being sections 750.1 to 750.568 of the Michigan
Compiled Laws, by adding sections 95b and 131b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Act No. 328 of the Public Acts of 1931, as
2 amended, being sections 750.1 to 750.568 of the Michigan Compiled
3 Laws, is amended by adding sections 95b and 131b to read as
4 follows:

5 SEC. 95B. (1) A MERCHANT SHALL NOT REQUIRE THAT A SOCIAL
6 SECURITY OR CREDIT CARD NUMBER BE WRITTEN ON A CHECK AS A CONDI-
7 TION OF ACCEPTANCE OF THAT CHECK. AS USED IN THIS SECTION,
8 "CHECK" INCLUDES A DRAFT, WARRANT, OR OTHER INSTRUMENT THAT
9 AUTHORIZES THE PAYMENT OF MONEY.

1 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
2 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS
3 OR A FINE OF NOT MORE THAN \$500.00, OR BOTH.

4 SEC. 131B. THE FOLLOWING IS PRIMA FACIE EVIDENCE OF THE
5 IDENTITY OF THE DRAWER OF A CHECK, DRAFT, OR ORDER FOR THE PAY-
6 MENT OF MONEY MADE IN VIOLATION OF SECTION 131 OR 131A:

7 (A) THE FOLLOWING DRAWER INFORMATION IF OBTAINED FROM THE
8 DRAWER AND RECORDED ON THE CHECK, DRAFT, OR ORDER:

9 (i) NAME.

10 (ii) ADDRESS.

11 (iii) HOME OR WORK TELEPHONE NUMBER, IF ANY.

12 (iv) DRIVER LICENSE NUMBER, STATE IDENTIFICATION CARD
13 NUMBER, OR MILITARY IDENTIFICATION CARD NUMBER.

14 (B) THE SIGNATURE OF THE DRAWER IF WITNESSED AND INITIALED
15 BY THE PERSON RECEIVING THE CHECK, DRAFT, OR ORDER.