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TELEPHONE DIRECTORY LISTING REQUIREMENTS FOR BUSINESSES

House Bill 5499

Sponsor: Rep. Andrew Razckowski

House Bill 5500

Sponsor: Rep. Mark Schauer

Committee: Consumer Protection

Complete to 2-13-98

A SUMMARY OF HOUSE BILLS 5499 AND 5500 AS INTRODUCED 1-27-98

The bills would amend the Michigan Consumer Protection Act to, under certain circumstances, prohibit a business from being listed or advertising in a phone directory in a manner that inaccurately implies that the business is a local business, and to establish penalties for violations.

Specifically, the bills would set two prohibitions on businesses that were listed or advertised in a telephone directory. First, House Bill 5499 would prohibit a business from listing its name or advertising an offer in a telephone directory where it provided a local telephone number that forwarded its calls to an out-of-state business, unless the out-of-state address that would receive the calls was included in the listing or advertisement. Second, House Bill 5500 would prohibit a non-local business from using a name that implied that the business was a local entity without specifying the address where the business was actually located. A business that advertised in a telephone directory using a name that included the name of a county, township, city, or village of this state would have to either actually be located in the area referred to in its name or specify its actual address in the advertisement.

Both bills would provide that a person who violated the bills' provisions would be subject to a civil fine of no less than \$100 or no more than \$10,000. Neither bill would apply to a telephone service provider or to the publisher or distributor of a telephone directory, unless the prohibited conduct was performed on behalf of that telephone service provider or that publisher or distributor.

Neither bill would take effect unless the other was enacted.

MCL 445.903c and 445.903d

Analyst: W. Flory

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.