

Legislative Analysis



LICENSEE PERSONAL INFORMATION PROTECTION

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bills 4494 and 4495 as enrolled
Sponsor: Rep. Bradley Slagh
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform
Complete to 2-8-23

Analysis available at
<http://www.legislature.mi.gov>

(Vetoed by the Governor 7-1-22)

SUMMARY:

House Bills 4494 and 4495 would amend the Occupational Code and the Skilled Trades Regulation Act, respectively, to prohibit the Department of Licensing and Regulatory Affairs (LARA) from selling or furnishing any list of information obtained under either act that contains a phone number or email address of a licensee or registrant. However, such a list could be sold by LARA to a statewide trade association if the list included only individuals who are licensed in the industry or profession of the statewide trade association.

Proposed MCL 339.218 (HB 4494)
Proposed MCL 339.5218 (HB 4495)

BRIEF DISCUSSION:

The bills would address the practice by LARA of selling lists containing the phone numbers and emails of individuals licensed or registered by the department in certain professions. Some feel the practice raises privacy concerns and lends itself to abuse by those who purchase such information. For instance, it was reported that the owner of a plumbing company, along with some of his employees, received text messages from a competitor containing offers of employment. The bills would generally prohibit LARA from selling lists including the personal contact information of individuals licensed or registered under the Occupational Code and Skilled Trades Regulation Act and so would protect the privacy of the licensees and registrants.

However, some trade organizations have in the past used such lists to contact licensees and registrants in their trade to alert them to upcoming continuing education opportunities. This can benefit licensees and registrants who need to complete additional courses to fulfill continuing education requirements for a license or registration. The bills as enrolled would allow a statewide trade association to continue to purchase a list containing phone numbers or emails, but only of individuals licensed or registered in a trade or profession represented by that association. Sales of lists to individuals or businesses would not be allowed.

FISCAL IMPACT:

House Bills 4494 and 4495 would not have an appreciable fiscal impact on any unit of state or local government.

Vetoed 7-1-22:

As stated in the governor's veto message, the bills were vetoed because they "would decrease consumer safety protections." The veto message expanded on that statement as follows:

Licensure at its core is designed to protect Michiganders, and ready access to information about licensed professionals allows members of the public to protect themselves from unscrupulous actors. When it comes to licensure, transparency is the key to public safety.

Enrolled House Bills 4494 and 4495 would prohibit the Department of Licensing and Regulatory Affairs from furnishing any list of information that contains a phone number or email address of a licensee or registrant. This change would deprive members of the public of information they may need to make an informed choice about whether to work with a particular licensed professional.

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