A bill to require the registration of certain fact checkers with the secretary of state; to provide for the powers and duties of certain state and local governmental officers and entities; to provide remedies; and to prescribe civil sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the "fact checker registration act".

Sec. 3. As used in this act:

(a) "Fact checker" means a person that meets all of the
following:

(i) Is paid or compensated by an organization affiliated with a national or international fact-checking organization or network that holds itself out as a fact-checking organization or network.

(ii) Is a member of the International Fact Check Network.

(iii) Publishes material physically or digitally in this state.

(iv) Holds itself out to the public as a fact checker.

(b) "Person" means an individual or a partnership, corporation, limited liability company, association, or other legal entity. Person does not include a government or governmental subdivision, agency, or instrumentality.

(c) "Registrant" means a person that is required to register under this act.

Sec. 5. A fact checker shall register with the secretary of state.

Sec. 7. At the time of registration, a registrant shall file with the secretary of state proof of a fidelity bond in the amount of no less than $1,000,000.00.

Sec. 9. The secretary of state shall prescribe the form and manner of registration and filing required under this act.

Sec. 11. (1) An affected party may bring a civil action in district court to claim the bond described in section 7. An affected party must demonstrate to the district court any wrongful conduct that is a violation of the laws of this state.

(2) For a civil action brought under this act, venue is proper in any county of this state regardless of the situs of the litigants or operational location of a physical publication.

(3) If the affected party prevails in an action initiated under this act, a district court shall award the affected party
treble damages, costs, and reasonable attorney fees.

Sec. 13. A person who violates this act may be ordered to pay a civil fine of not less than $1,000.00 per day for each day that the violation continues.

Enacting section 1. This act does not take effect unless Senate Bill No.____ or House Bill No. 4814 (request no. 01069'21 a) of the 101st Legislature is enacted into law.