HOUSE BILL NO. 6307

August 27, 2026, Introduced by Reps. Mentzer, Breen, Scott, Wilson, Rheingans, Young, Myers-Phillips, Xiong, Koleszar, Weiss, Hoskins and MacDonell and referred to Committee on Economic Competitiveness.

A bill to amend 1976 PA 331, entitled

"Michigan consumer protection act,"

by amending section 15 (MCL 445.915) and by adding section 8a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 8a. (1) If the attorney general or a prosecuting attorney has reasonable cause to believe that a person has information or is in possession, custody, or control of any documentary material or tangible object that is relevant to an investigation of a violation of this act, the attorney general, or a prosecuting attorney with

the permission of the attorney general or at the request of the attorney general, may, before bringing any action under this act, serve the person with a written demand to do 1 or more of the following:

(a) Appear and be examined under oath.

(b) Answer interrogatories.

(c) Produce any documentary material or tangible object for inspection and copying.

(2) A written demand under subsection (1) must contain all of the following:

(a) A description of the conduct that constitutes the violation of this act being investigated by the attorney general or the prosecuting attorney.

(b) A summary of subsections (3) and (4).

(c) If the demand requires the appearance of the person, a reasonable time and place for the appearance.

(d) If the demand requires written interrogatories, both of the following:

(*i*) A copy of the written interrogatories.

(*ii*) A reasonable time within which the person must answer the written interrogatories.

(e) If the demand requires the production of any documentary material or tangible object, all of the following:

(*i*) A description of the documentary material or tangible object with sufficient definiteness to permit the documentary material or tangible object to be fairly identified by the person.

(*ii*) A reasonable time and place for production of the documentary material or tangible object.

(*iii*) The name of the person that will be the custodian of the

documentary material or tangible object.

(f) A notice that the person may file an objection to or reason for not complying with the demand with the serving entity on or before the return date.

(3) At any time before the return date or not later than 10 days after receiving the written demand, whichever is earlier, a person subject to the written demand may petition the circuit court of Ingham County for a protective order to do any of the following:

(a) Extend the return date for a reasonable time.

(b) Modify the demand.

(c) Set aside the demand.

(4) If a person files a petition under subsection (3), the person must give the serving entity not less than 10 days' notice of a hearing on the petition, and the serving entity must be given an opportunity to respond to the petition.

(5) If a person does not secure a protective order under subsection (3) and the person does not comply with the written demand by the return date, the serving entity, on notice to the person, may apply to a court for an order compelling the person's compliance with the written demand.

(6) If a court contemplating the order under subsection (5) finds that there is reasonable cause to believe that this act is being, has been, or is about to be violated, that the person subject to the written demand is the person that is committing, has committed, or is about to commit the violation or is the person that possesses information, documentary material, or a tangible object that is relevant to the investigation by the attorney general or prosecuting attorney, that the person has left this state or is about to leave this state, and that the order is

necessary for the enforcement of this act, the court may do either or both of the following:

(a) Require the person to comply with the written demand.

(b) Forbid the removal, concealment, withholding, destruction, mutilation, falsification, or alteration of any documentary material or tangible object identified under subsection (2)(e) that is in the possession, custody, or control of the person.

(7) A person subject to a written demand or court order under this section that, with the intent to avoid, evade, or prevent compliance with the written demand or order, in whole or in part, removes, conceals, withholds, destroys, mutilates, falsifies, or by any other means alters any documentary material or tangible object identified under subsection (2)(e) in the possession, custody, or control of the person is subject to a civil fine of not more than $10,000.00.

(8) Except as otherwise provided in subsection (9), any testimony, answer, documentary material, or tangible object received by the attorney general or a prosecuting attorney in accordance with a written demand or order under this section is confidential and not subject to disclosure until the time that an enforcement action is brought by the attorney general or prosecuting attorney under this act.

(9) The attorney general or a prosecuting attorney may disclose any testimony, answer, documentary material, or tangible object described in subsection (8) in any of the following circumstances:

(a) If the disclosure is to a law enforcement official.

(b) If the attorney general or a prosecuting attorney considers the disclosure necessary to enforce this act.

(c) If the disclosure is ordered by a court.

(d) If the disclosure is after the confidentiality requirements described in subsection (8) are waived by both of the following:

(*i*) The person subject to the written demand.

(*ii*) The person being investigated by the attorney general or prosecuting attorney.

(10) As used in this section:

(a) "Demand" means a written demand under subsection (1).

(b) "Return date" means the date specified in subsection (2)(c), (d)(*ii*), or (e)(*ii*).

(c) "Serving entity" means the attorney general or prosecuting attorney that served the demand.

Sec. 15. ~~A~~ **Except as otherwise provided in section 8a, a** prosecuting attorney may conduct an investigation ~~pursuant to~~ **under** this act and may institute and prosecute an action under this act in the same manner as the attorney general.