

Act No. 206
Public Act of 1989
November 8, 1989
Filed by the Secretary of State
November 8, 1989

STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989

Introduced by Reps. Law, Honigman, Nye, Bankes, Perry Bullard, Strand, Hertel, Power, Bandstra,
Martin and Gubow

ENROLLED HOUSE BILL No. 4694

AN ACT to amend Act No. 378 of the Public Acts of 1988, entitled "An act to preserve personal privacy with respect to the purchase, rental, or borrowing of certain materials; and to provide penalties and remedies for violation of this act," being sections 445.1711 to 445.1714 of the Michigan Compiled Laws, by adding section 5.

The People of the State of Michigan enact:

Section 1. Act No. 378 of the Public Acts of 1988, being sections 445.1711 to 445.1714 of the Michigan Compiled Laws, is amended by adding section 5 to read as follows:

Sec. 5. Regardless of any criminal prosecution for a violation of this act, a person who violates this act shall be liable in a civil action for damages to the customer identified in a record or other information that is disclosed in violation of this act. The customer may bring a civil action against the person and may recover both of the following:

- (a) Actual damages, including damages for emotional distress, or \$5,000.00, whichever is greater.
- (b) Costs and reasonable attorney fees.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved.....

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Governor.

