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BANKING CODE REFERENCES

House Bill 5332

Sponsor: Rep. Clark Bisbee

House Bill 5333

Sponsor: Rep. Stephen Ehardt

House Bill 5334

Sponsor: Rep. Bruce Patterson

House Bill 5335

Sponsor: Rep. Alan Sanborn

House Bill 5336

Sponsor: Rep. Paul Wojno

**Committee: Insurance and Financial
Services**

Complete to 2-11-00

A SUMMARY OF HOUSE BILLS 5332-5336 AS INTRODUCED 2-9-00

Each of the bills would amend a different act to update references to the Banking Code. The Banking Code of 1999 was recently enacted, replacing the Banking Code of 1969. A number of acts refer to the Banking Code and need to be amended accordingly.

House Bill 5332 would amend the Michigan Consumer Protection Act (MCL 445.904). House Bill 5333 would amend the Michigan Export Development Act (MCL 447.152). House Bill 5334 would amend the Sale of Checks Act (MCL 487.904). House Bill 5335 would amend the Savings Bank Act (MCL 487.3103). House Bill 5336 would amend the Estates and Protected Individuals Code (MCL 700.1214).

House Bills 5333-5336 are tie-barred to House Bill 5332.

The section of the Consumer Protection Act being amended says that the act does not apply to unfair, unconscionable, or deceptive methods, acts, or practices that are made unlawful by certain other specified statutes (including the Banking Code and the Insurance Code). However, the act allows an exception for legal actions brought under Section 11, which deals with declaratory judgments, injunctions, and individual and class action lawsuits. House Bill 5332 would amend the act to eliminate the exception that permits Section 11 lawsuits and to specify that the Consumer Protection Act does not "create a cause of action" for methods, acts, or practices made unlawful in the other specified statutes.

The bill would also add to that list of statutes the Nonprofit Health Care Corporation Reform Act, which regulates Blue Cross and Blue Shield, and Part 210 of the Public Health Code, which regulates health maintenance organizations.

Analyst: C. Couch

■ 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.