

HOUSE BILL No. 6068

May 9, 2002, Introduced by Rep. Bob Brown and referred to the Committee on Commerce.

A bill to require internet service providers to obtain certain identifying information from subscribers; to prescribe the powers and duties of certain law enforcement agencies; and to prescribe penalties.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the
2 "internet subscribers identifiers act".

3 Sec. 2. As used in this act:

4 (a) "Internet service provider" means a person who provides
5 a service that enables a user in this state to access content,
6 information, electronic mail, or other services offered over the
7 internet.

8 (b) "Law enforcement agency" means the police department of
9 a city, township, or village, the sheriff's department of a

1 county, a prosecuting attorney's office, or any other
2 governmental law enforcement agency of this state.

3 (c) "Subscriber" means a person located in or residing in
4 this state who contracts or subscribes with an internet service
5 provider for any service provided by the internet service
6 provider. The term includes a person that does not pay the
7 internet service provider for the service.

8 Sec. 3. (1) An internet service provider located in or
9 doing business in this state or providing service to a subscriber
10 located or residing in this state shall obtain 1 or more of the
11 following from the subscriber at the time the subscriber con-
12 tracts or subscribes with the internet service provider for
13 service:

14 (a) A home or business telephone number of the subscriber.
15 The internet service provider shall verify that the telephone
16 number is valid before providing service to the subscriber.

17 (b) A credit card number of the subscriber. The internet
18 service provider shall verify that the credit card number is
19 valid before providing service to the subscriber.

20 (c) If the subscriber contracts or subscribes by e-mail or
21 on-line or by any other electronic means, the telephone number of
22 the computer modem used by the subscriber to contract or sub-
23 scribe with the internet service provider. The internet service
24 provider shall verify that the telephone number is valid before
25 providing service to the subscriber.

26 (2) An internet service provider shall retain a subscriber's
27 telephone or credit card number required under subsection (1) for

1 the period it provides service to the subscriber, and for an
2 additional 1 year after service to the subscriber is terminated.

3 Sec. 4. An internet service provider presented with a war-
4 rant or other court order from the circuit court of a county
5 where a crime victim is located or resides shall provide the law
6 enforcement agency presenting the warrant or court order with the
7 information described in section 3, and any other information in
8 its possession concerning the subscriber described in the warrant
9 or court order.

10 Sec. 5. An internet service provider who violates this act
11 is responsible for a state civil infraction and may be ordered to
12 pay a civil fine of not more than \$5,000.00.