



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 6173 (Substitute S-2 as reported)  
House Bill 6174 (as reported without amendment)  
Sponsor: Representative John Stakoe (H.B. 6173)  
Representative Mike Nofs (H.B. 6174)  
House Committee: Criminal Justice  
Senate Committee: Judiciary

**CONTENT**

House Bill 6173 (S-2) would amend the Crime Victim's Rights Act to specify that, to facilitate compliance with Federal law (15 USC 1681g), a bona fide victim of identity theft would be entitled to obtain a police report from a law enforcement agency in a jurisdiction where the alleged violation could be prosecuted as provided under MCL 762.10c (a section of the Code of Criminal Procedure proposed by Senate Bill 793). The bill would insert the same language in Article I of the Act, which deals with felonies and Article II, which involves juvenile offenses.

(Under 15 USC 1681g, every consumer reporting agency, upon request, must clearly and accurately disclose certain information to consumers.

Under Senate Bill 793, identity theft could be prosecuted in the jurisdiction in which the offense occurred, in which the information used to commit the violation was illegally used, or in which the victim lived.)

House Bill 6174 would amend the Michigan Consumer Protection Act to include a violation of Section 11 of the "Identity Theft Protection Act" (proposed by Senate Bill 792 and House Bill 6168) as an unfair, unconscionable, or deceptive methods, acts, or practices in the conduct of trade or commerce. (Section 11 of the proposed Act would prohibit a person from doing various things related to extending or soliciting to extend credit to certain consumers, or denying credit or a public utility service solely because the consumer was an identity theft victim.)

Proposed MCL 780.754a et al. (H.B. 6173)  
MCL 445.903 (H.B. 6174)

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

House Bill 6173 (S-2) would have no fiscal impact on State or local government.

House Bill 6174 would have an indeterminate impact on the Department of Attorney General related to the Attorney General's responsibilities under the Michigan Consumer Protection Act. The number of additional cases that would result from the bill cannot be projected.

Date Completed: 11-12-04

Fiscal Analyst: Bruce Baker  
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Bill Analysis @ [www.senate.michigan.gov](http://www.senate.michigan.gov)

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