

SENATE BILL No. 708

August 31, 2005, Introduced by Senator BISHOP and referred to the Committee on Technology and Energy.

A bill to amend 2004 PA 241, entitled
"Michigan children's protection registry act,"
by amending section 3 (MCL 752.1063).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. (1) The department shall establish and operate, or
2 contract with a qualified third party to establish and operate, the
3 child protection registry. The department or a third party
4 administrator shall establish procedures, to the extent possible,
5 to prevent the use or disclosure of protected contact points as
6 required under section 6. If the department elects to contract with
7 a third party, the department shall give due consideration to any
8 person located in this state.

9 (2) A parent, guardian, individual, or an entity under
10 subsection (4) who is responsible for a contact point to which a

1 minor may have access may register that contact point with the
2 department under rules promulgated by the department under the
3 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
4 24.328. The department shall establish procedures to ensure that a
5 registrant meets the requirements of this subsection.

6 (3) A registration under this section shall be for not more
7 than 3 years. If the contact point is established for a specific
8 minor, the registration expires the year the minor turns 18 years
9 of age. A registration can be revoked or renewed by the registrant
10 upon notification to the department.

11 (4) Schools and other institutions or entities primarily
12 serving minor children may register 1 or more contact points with
13 the department. An entity under this subsection may make 1
14 registration for all contact points of the entity, and the
15 registration may include the entity's internet domain name under
16 rules promulgated by the department under the administrative
17 procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

18 (5) No fee or charge shall be assessed or incurred by a person
19 registering a contact point under this act.

20 (6) The department shall establish a mechanism for senders to
21 verify compliance with the registry.

22 (7) A person desiring to send a message described in section 5
23 shall pay the department a fee for access to the mechanism required
24 under subsection (6). The fee required under this subsection shall
25 be set by the department. The fee shall not exceed ~~—03—~~ 3 cents
26 and shall be based on the number of contact points checked against
27 the registry for each time a contact point is checked. The

1 mechanism to verify compliance under subsection (6) and the fee
2 required under this subsection shall be established under rules
3 promulgated by the department under the administrative procedures
4 act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

5 (8) The fees collected under this act shall be credited to the
6 following:

7 (a) Eighty-five percent of the fees to the fund created under
8 section 4.

9 (b) Not less than 15% of the fees to the attorney general to
10 cover the costs of investigating, enforcing, and defending this act
11 and section 5a of 1979 PA 53, MCL 752.795a. The department may
12 reimburse the attorney general from the fund created under section
13 4 for any costs incurred under this subdivision that exceed the
14 fees credited under this subdivision.

15 (9) The registry shall be fully operational not later than
16 July 1, 2005.