

# HOUSE BILL NO. 4906

September 11, 2025, Introduced by Reps. Wortz, Martin, Wozniak, Schuette, Borton and Alexander and referred to Committee on Regulatory Reform.

A bill to amend 1980 PA 299, entitled  
"Occupational code,"  
by amending section 909 (MCL 339.909), as amended by 1996 PA 151.

## **THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 909. (1) A collection agency shall maintain a separate  
2       trust account in which all money collected under this article by  
3       the collection agency ~~shall~~**must** be deposited ~~within~~**not more than**  
4       3 banking days after receipt. The trust account ~~shall~~**must** be  
5       established in 1 of the following institutions:

1 (a) A state or nationally chartered bank.

2 (b) A state or federally chartered savings and loan  
3 association or savings bank.

4 (c) A state or federally chartered credit union.

5 (2) A collection agency that ~~is located~~ **initiates collection**  
6 **activity** in this state shall maintain ~~its~~ **the** trust account **under**  
7 **subsection (1)** in this state. ~~A collection agency that is located~~  
8 ~~in any other state may maintain its trust account in this state or~~  
9 ~~in the state in which the collection agency is located provided~~  
10 ~~that the account is maintained solely for money collected under~~  
11 ~~this article.~~

12 (3) The trust account ~~shall~~ **must** be identified and  
13 distinguished from the collection agency's personal or general  
14 checking or other depository account and ~~shall~~ **must** be designated  
15 as a trust account. The trust account ~~shall~~ **must** always contain  
16 sufficient funds to pay money due or owing to the client less money  
17 owed to the licensee by the client. Except as provided in this  
18 section, a disbursement may not be made from the account except to  
19 a client for money owed to the client or to pay costs advanced for  
20 a client. Periodically, the collection agency may withdraw from the  
21 trust account money that has accrued to the collection agency from  
22 a collection deposited or from an adjustment resulting from costs  
23 advanced and payments made directly to clients.