

REGULATORY LOAN ACT (EXCERPT)
Act 21 of 1939

493.1 Short title; definitions.

Sec. 1.

(1) This act shall be known and may be cited as the "regulatory loan act".

(2) As used in this act:

(a) "Advertising" means publishing or broadcasting, or causing to be published or broadcast, material that has been prepared for public distribution by means of newspapers, magazines, or electronic media. Advertising does not include a stockholder communication, such as an annual report, interim financial report, registration statement, security, prospectus, application for listing a security on a stock exchange, or proxy materials. Advertising does not include a communication addressed to a person who has previously executed a loan agreement relative to that person's account.

(b) "Assets" means liquid assets, collectible loans made in accordance with this act, and personal property acquired in the general conduct of business transacted under this act.

(c) "Commissioner" means the commissioner of the office of financial and insurance services in the department of consumer and industry services.

(d) "Control person" means a director or executive officer of a licensee or a person who has the authority to participate in the direction, directly or indirectly through 1 or more other persons, of the management or policies of a licensee.

(e) "Executive officer" means an officer, member, or partner of a licensee, including chief executive officer, president, vice president, chief financial officer, controller, compliance officer, or any other similar position.

(f) "Financial licensing act" means any act listed in section 2 of the consumer financial services act, 1988 PA 161, MCL 487.2052.

(g) "License" means a single license issued to a single place of business.

(h) "Licensee" means a person licensed or required to be licensed under this act.

(i) "Liquid assets" means cash, unrestricted deposits in banks, and readily marketable securities at their then market value.

(j) "Loan" or "regulatory loan" means a loan made by a licensee to an individual for personal, family, or household use.

(k) "Person" means an individual, partnership, association, corporation, limited liability company, or other legal entity.

History: 1939, Act 21, Eff. Sept. 29, 1939 ;-- Am. 1947, Act 130, Eff. Oct. 11, 1947 ;-- CL 1948, 493.1 ;-- Am. 1963, Act 103, Eff. Sept. 6, 1963 ;-- Am. 1971, Act 168, Eff. Mar. 30, 1972 ;-- Am. 1978, Act 528, Eff. Mar. 30, 1979 ;-- Am. 1988, Act 162, Eff. Sept. 1, 1988 ;-- Am. 1991, Act 14, Eff. Oct. 1, 1991 ;-- Am. 1995, Act 165, Eff. Mar. 28, 1996 ;-- Am. 1996, Act 184, Imd. Eff. May 3, 1996 ;-- Am. 2001, Act 270, Imd. Eff. Jan. 11, 2002 ;-- Am. 2002, Act 393, Imd. Eff. May 30, 2002

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibility of the financial institutions bureau and the commissioner of the financial institutions bureau to the commissioner of the office of financial and insurance services and the office of financial and insurance services by type III transfer, see E.R.O. No. 2000-2, compiled at MCL 445.2003 of the Michigan compiled laws.