

HOUSE BILL No. 5075

September 25, 2003, Introduced by Reps. Spade, Sheltroun, Law, Bieda, Wojno, Farrah, Plakas, Meyer, Clack and Sak and referred to the Committee on Commerce.

A bill to amend 1962 PA 174, entitled
 "Uniform commercial code,"
 by amending section 4110 (MCL 440.4110), as added by 1993 PA
 130.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 4110. (1) "Agreement for electronic presentment" means
 2 an agreement, clearing-house rule, or ~~Federal Reserve~~ **federal**
 3 **reserve** regulation or operating circular, providing that
 4 presentment of an item may be made by transmission of an image of
 5 an item or information describing the item ("presentment notice")
 6 rather than delivery of the item itself. ~~The~~ **An agreement for**
 7 **electronic presentment shall provide a procedure that prohibits**
 8 **presentment by transmission of an image of an item or presentment**
 9 **notice if the drawer of the item requests that electronic**
 10 **presentment not be used for the drawer's items and requires**

1 written notice to each drawer of his or her right to make that
2 request. An agreement for electronic presentment may provide for
3 procedures governing retention, presentment, payment, dishonor,
4 and other matters concerning items subject to the agreement.

5 (2) Presentment of an item pursuant to an agreement for
6 presentment is made when the presentment notice is received.

7 (3) If presentment is made by presentment notice, a reference
8 to "item" or "check" in this article means the presentment notice
9 unless the context otherwise indicates.