

MICHIGAN CONSUMER PROTECTION ACT (EXCERPT)
Act 331 of 1976

***** 445.903m.added THIS ADDED SECTION IS EFFECTIVE MARCH 30, 2022; THIS ADDED SECTION IS AMENDED EFFECTIVE MARCH 30, 2022: See 445.903m.amended *****

445.903m.added Online state services by unaffiliated third party; requirements.

Sec. 3m. (1) If a third party offers online services that are performed by an agency, department, or division of this state and the third party is not affiliated or under contract to perform the online services for an agency, department, or division of this state, the third party must do all of the following:

(a) Have a conspicuous notification on its website stating that it is not an agency, department, or division of this state.

(b) Have a conspicuous notification on its website stating that its services are not endorsed or approved by an agency, department, or division of this state.

(c) Have a conspicuous notification on its website stating that it is not affiliated or under contract to perform online services for an agency, department, or division of this state.

(d) Provide a link on its website to the website of the agency, department, or division of this state on which a person may utilize the online service.

(e) Before a transaction for an online service is completed, ensure that a conspicuous notification of any fee it will charge for the online service occurs.

(2) Failure to comply with the requirements in subsection (1) is a violation of this section.

(3) As used in this section:

(a) "Conspicuous notification" means, at a minimum, for a notification that is on a website, a notification that is on the opening page of that website, is in a type size that is the same or larger than the largest type size on that website, and is in boldface, capital letters.

(b) "Online services" does not include the sharing of public information that is otherwise accessible and does not require consumers to provide payment or personal information to access it.

(c) "Third party" means a person that is not an agency, department, or division of this state.

History: Add. 2021, Act 46, Eff. Mar. 30, 2022.