
Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

SFA**BILL ANALYSIS**

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4700 (Substitute H-2 as discharged)
Sponsor: Representative Terry London
House Committee: Transportation
Senate Committee: Transportation and Tourism

CONTENT

The bill would amend Public Act 222 of 1972, which provides for personal identification cards and requires the Secretary of State to establish a central file of information contained on applications for them, to regulate the release of this information from the file by doing the following.

- Permitting the Secretary of State to provide a commercial look-up service of records maintained under the Act, and to charge a fee for each record looked up.
- Prohibiting the disclosure of the central file or file records to a nongovernmental person or entity unless the purchaser paid a prescribed fee, furnished proof of identity, and certified that the information would be used for purposes permitted under the bill.
- Requiring the Secretary of State to disclose the personal information in a record to carry out the purposes of a "specified federal law". ("Personal information" would mean information that identified an individual, including the individual's photograph or image, name, address (but not the five-digit zip code), driver license number, Social Security number, telephone number, digitized signature, and medical and disability information.)
- Permitting the Secretary of State to disclose, under certain circumstances, personal information to various Federal, State, or local governmental agencies and specific private persons or entities.
- Permitting an authorized recipient of personal information to resell or redisclose it for a permitted use; and requiring the recipient to keep for at least five years records that identified who received the information and the use for which it was obtained.
- Permitting the Secretary of State to furnish a list of information from the records to a Federal, State, or local governmental agency, and to charge a preparation fee if costs exceeded \$25.
- Permitting the Secretary of State to contract for the bulk sale of the lists of records maintained under the Act for permitted purposes as well as for surveys, marketing, and solicitations.
- Requiring the Secretary of State, before selling or furnishing lists of information for surveys, marketing, and solicitations, to inform persons of their right to prohibit the disclosure of personal information.
- Establishing felony penalties for making a false representation or certification to obtain personal information or using the information for nonpermitted purposes.

MCL 28.291 et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

In FY 1995-96, the Department of State generated \$27.1 million from the service charge collected for record information. Of that amount, approximately \$1 million comes from bulk data sold to direct mail marketers and data processing firms. Due to Federal legislation and a recent court ruling, this bill is necessary for the Department to continue to charge fees for commercial look-ups.

Date Completed: 7-2-97

Fiscal Analyst: B. Bowerman

[floor/hb4700](#)

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.