

SUBSTITUTE FOR
HOUSE BILL NO. 6248

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 126.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 126. (1) A WAIVER OF CUSTOMER LIABILITY AGREEMENT IS NOT
2 INSURANCE OR THE BUSINESS OF INSURANCE AND IS NOT SUBJECT TO THIS
3 ACT.

4 (2) AS USED IN THIS SECTION:

5 (A) "SERVICE PROVIDER" MEANS A PUBLIC OR PRIVATE PROVIDER OF
6 ELECTRICITY, NATURAL GAS, WATER, SEWER, SOLID WASTE COLLECTION, OR
7 ANY OTHER SIMILAR SERVICE, AND ANY PROVIDER OF COMMUNICATIONS
8 SERVICES INVOLVING THE TRANSMISSION OF DATA OR ANY OTHER
9 INFORMATION OR SIGNALS UTILIZING ANY MEDIUM OR METHOD, INCLUDING,
10 BUT NOT LIMITED TO, CABLE OR BROADBAND SERVICE, IP-ENABLED VOICE

1 SERVICE, CELLULAR OR MOBILE SERVICE, OR ANY OTHER SIMILAR SERVICE.

2 (B) "WAIVER OF CUSTOMER LIABILITY AGREEMENT" MEANS AN OPTIONAL
3 AGREEMENT BETWEEN A SERVICE PROVIDER AND A CUSTOMER OF THE SERVICE
4 PROVIDER UNDER WHICH THE SERVICE PROVIDER AGREES, IN RETURN FOR A
5 SPECIFIED CHARGE PAYABLE BY THE CUSTOMER TO THE SERVICE PROVIDER,
6 TO WAIVE ALL OR A PORTION OF THE CUSTOMER'S LIABILITY TO THE
7 SERVICE PROVIDER FOR INCURRED CHARGES DURING A DEFINED PERIOD IN
8 THE EVENT OF ANY 1 OR MORE OF THE FOLLOWING: THE CUSTOMER'S CALL TO
9 ACTIVE MILITARY SERVICE; INVOLUNTARY UNEMPLOYMENT; DEATH;
10 DISABILITY; HOSPITALIZATION; MARRIAGE; DIVORCE; EVACUATION;
11 DISPLACEMENT DUE TO NATURAL DISASTER OR OTHER CAUSE; QUALIFICATION
12 FOR FAMILY LEAVE; OR SIMILAR QUALIFYING EVENT OR CONDITION. A
13 WAIVER OF CUSTOMER LIABILITY MAY BE CONTAINED IN THE AGREEMENT
14 UNDER WHICH THE SERVICE PROVIDER PROVIDES SERVICES TO THE CUSTOMER
15 OR IN A SEPARATE AGREEMENT BETWEEN THE SERVICE PROVIDER AND THE
16 CUSTOMER.