

HOUSE BILL NO. 4813

May 11, 2021, Introduced by Reps. Maddock, Outman, Eisen, Roth, Martin, Griffin, Bezotte, Damoose and Carra and referred to the Committee on Regulatory Reform.

A bill to require the registration of certain fact checkers with the secretary of state; to provide for the powers and duties of certain state and local governmental officers and entities; to provide remedies; and to prescribe civil sanctions.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act shall be known and may be cited as the "fact
2 checker registration act".

3 Sec. 3. As used in this act:

4 (a) "Fact checker" means a person that meets all of the

1 following:

2 (i) Is paid or compensated by an organization affiliated with a
3 national or international fact-checking organization or network
4 that holds itself out as a fact-checking organization or network.

5 (ii) Is a member of the International Fact Check Network.

6 (iii) Publishes material physically or digitally in this state.

7 (iv) Holds itself out to the public as a fact checker.

8 (b) "Person" means an individual or a partnership,
9 corporation, limited liability company, association, or other legal
10 entity. Person does not include a government or governmental
11 subdivision, agency, or instrumentality.

12 (c) "Registrant" means a person that is required to register
13 under this act.

14 Sec. 5. A fact checker shall register with the secretary of
15 state.

16 Sec. 7. At the time of registration, a registrant shall file
17 with the secretary of state proof of a fidelity bond in the amount
18 of no less than \$1,000,000.00.

19 Sec. 9. The secretary of state shall prescribe the form and
20 manner of registration and filing required under this act.

21 Sec. 11. (1) An affected party may bring a civil action in
22 district court to claim the bond described in section 7. An
23 affected party must demonstrate to the district court any wrongful
24 conduct that is a violation of the laws of this state.

25 (2) For a civil action brought under this act, venue is proper
26 in any county of this state regardless of the situs of the
27 litigants or operational location of a physical publication.

28 (3) If the affected party prevails in an action initiated
29 under this act, a district court shall award the affected party

1 treble damages, costs, and reasonable attorney fees.

2 Sec. 13. A person who violates this act may be ordered to pay
3 a civil fine of not less than \$1,000.00 per day for each day that
4 the violation continues.

5 Enacting section 1. This act does not take effect unless
6 Senate Bill No. ____ or House Bill No. 4814 (request no. 01069'21 a)
7 of the 101st Legislature is enacted into law.