

UNSOLICITED COMMERCIAL E-MAIL PROTECTION ACT (EXCERPT)
Act 42 of 2003

445.2504 Unsolicited commercial e-mail; prohibited conduct; policies and records.

Sec. 4.

(1) A person who sends or causes to be sent an unsolicited commercial e-mail through an e-mail service provider located in this state or to an e-mail address held by a resident of this state shall not do any of the following:

(a) Use a third party's internet domain name or third party e-mail address in identifying the point of origin or in stating the transmission path of the commercial e-mail without the third party's consent.

(b) Misrepresent any information in identifying the point of origin or the transmission path of the commercial e-mail.

(c) Fail to include in the commercial e-mail the information necessary to identify the point of origin of the commercial e-mail.

(d) Provide directly or indirectly to another person the software described under section 5.

(2) If the recipient of an unsolicited commercial e-mail notifies the sender that the recipient does not want to receive future unsolicited commercial e-mail from the sender, the sender shall not send that recipient unsolicited commercial e-mail either directly or indirectly through a third party.

(3) A sender of unsolicited commercial e-mail shall establish and maintain the necessary policies and records to ensure that the recipient who has notified the sender under subsection (2) does not receive any e-mail from the date of the notice. The sender shall update its records under this subsection not less than every 14 business days.

History: 2003, Act 42, Eff. Sept. 1, 2003