

**GAINES TOWNSHIP
ORDINANCE NUMBER 125**

An ordinance to prohibit obtaining personal identity information for unlawful purposes; and to proscribe penalties for violations thereof.

THE GAINES TOWNSHIP BOARD HEREBY ORDAINS:

Section 1. Prohibited conduct.

- (a) A person shall not obtain or attempt to obtain personal identity information of another person with the intent to unlawfully use that information for any of the following purposes without that person's authorization:
 - (1) To obtain financial credit.
 - (2) To purchase or otherwise obtain or lease any real or personal property.
 - (3) To obtain employment.
 - (4) To obtain access to medical records or information contained in medical records.
 - (5) To commit any illegal act.
- (b) This ordinance does not prohibit the person from being charged with, convicted of, or sentenced for any other violation of law committed by that person using information obtained in violation of this section.
- (c) This ordinance does not apply to a person who obtains or attempts to obtain personal identity information of another person pursuant to the discovery process of a civil action, an administrative proceeding, or an arbitration proceeding.
- (d) Definitions. The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

“Financial transaction device” means that term as defined in MCL 750.157m.

“Medical records” includes, but is not limited to, medical and mental health histories, reports, summaries, diagnoses and prognoses, treatment and medication information, notes, entries, and X-rays and other imaging records.

“Personal identity information” means any of the following information of another:

- (1) A social security number.
- (2) A driver license number or state personal identification card number.
- (3) Employment information.
- (4) Information regarding any financial account held by another person including, but not limited to, any of the following:
 - a. A savings or checking account number.
 - b. A financial transaction device account number.
 - c. A stock or other security certificate or account number.
 - d. A personal information number (PIN) for an account described above.

Section 2. Penalty.

A person violating this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$500.00 and/or imprisonment for not more than 93 days.

Section 3. Effective Date.

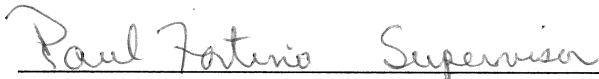
This ordinance shall take effect 30 days after publication.

At a regular meeting of the Board of Trustees for the Township of Gaines held on September 7, 2016, **Diane Hyrman** moved for adoption of the foregoing ordinance and **Lee Purdy** supported the motion.

Voting for: **Michael Dowler, Diane Hyrman, Lee Purdy, Chuck Timmons, Paul Fortino**

Voting against: **None**

The Supervisor declared the ordinance **adopted**.




Paul Fortino, Supervisor



Michael Dowler, Township Clerk

Certification

Michael Dowler, Gaines Township Clerk, certifies that the foregoing is a true copy of Ordinance No. 125 which was enacted by the Board of Trustees of Gaines Township at a regular meeting held on September 7, 2016.



Michael Dowler, Township Clerk