



**House  
Legislative  
Analysis  
Section**

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**REGULATION OF CLOTHES CLEANERS**

House Bill 4686 as enrolled  
Second Analysis (1-9-90)

RECEIVED

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Sponsor: Rep. Charlie Harrison, Jr.  
House Committee: Economic Development & Energy  
Senate Committee: Economic Development

***THE APPARENT PROBLEM:***

Public Act 43 of 1943 regulates persons who clean, repair, or store certain articles of clothing (primarily, persons who operate dry cleaners and laundromats). When their customers leave behind articles of clothing, persons operating these businesses must follow specific procedures before disposing of any clothing. Only after clothes have been left for more than 90 days can business owners begin the process to dispose of clothing, which includes filling out lengthy forms and notifying customers of the owner's intent to rid him- or herself of the items — either by selling the clothes (to cover previously agreed on service costs which the customer has failed to pay) or donating the items to charity. Owners in many cases do not even know a customer's current address, and even if they did, tracking them down is often too costly and time-consuming. In fact, many owners reportedly wish to donate abandoned items to charities, but are hindered from doing even this out of fear of being held liable to the customer who may finally show up to claim the clothes sometime in the future. Many owners complain the current process takes too long, disrupts their businesses, and costs them money.

***THE CONTENT OF THE BILLS:***

The bill would create a new act to regulate the disposal of articles left at businesses engaged in the cleaning, repair, alteration, or storage of clothing and other articles, including fur coats and garments, rugs, carpets, draperies and household furnishings, and to repeal Public Act 43 of 1943 which currently regulates such disposal.

Under the bill, clothes and other articles left at a business for either cleaning or repair, or for storage purposes, that were not claimed by their owners after one year could be sold, donated, or disposed of by the business. A person would lose his or her ownership rights to an article left at a business for more than one year. If the article had been in the business' possession for more than one year after the date of delivery to that business or after the storage agreement terminated or expired, the business then would become the owner of the article. If ownership rights to an article of clothing had been lost, the original owner could regain them if the business had not sold, donated, or otherwise disposed of the article, and if the person paid the amount owed for cleaning, repair, or storage services.

On or after the effective date of the bill, the owner's rights to an article would terminate immediately if the article were delivered to a business for the purpose of cleaning or repair services, or for storage, and had been in the business' possession for more than one year after the date of delivery to the business or the date the storage agreement terminated or expired. A business would have to display in a prominent place in its retail store notices that substantially complied with the sample notice provided in the bill advising customers of the potential disposal of any articles left at the store for more than one year.

***FISCAL IMPLICATIONS:***

According to the Senate Fiscal Agency, the bill would not affect state or local government expenditures. (5-12-89)

***ARGUMENTS:***

***For:***

The bill would provide persons who clean, repair, or store clothing or other articles (i.e. dry cleaners and laundromat owners) more streamlined procedures for ridding themselves of clothing left behind by customers. The 1943 act which regulates these businesses hinders the owners from dealing in a quick and efficient manner with abandoned clothes. The bill would benefit businesses by allowing them up to one year to hold clothes (to account for customers who may leave clothes for storage until the proper season arrives), but would give customers more than the current 90 days (or nine months, for storage) allowed for leaving clothes before action can be taken by a business. In addition, if the business had not disposed of clothes left after one year's time, the person who owned the clothes could still get them back by paying any amount owed for cleaning, repair, or storage services.

H.B. 4686 (1-9-90)