



**House
Legislative
Analysis
Section**

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NO PRICE TAGS ON ITEMS

House Bill 4578

Sponsor: Rep. Robert Brackenridge

Committee: Business & Finance

Complete to 4-13-93

A SUMMARY OF HOUSE BILL 4578 AS INTRODUCED 4-1-93

The Consumer Item Pricing Act requires retailers to clearly mark the total price on consumer items and prohibits stores from charging a price that exceeds the total price marked. The act exempts certain goods from this requirement and also provides that a retailer may choose to not individually price mark not more than 25 "classes" of items or individual items as long as they are "listed and posted in a conspicuous place" or if they are advertised and featured at a reduced price. The price and the name or description of such items not individually price marked, however, must be indicated by a "clear, readable, and conspicuous sign in immediate conjunction with the area" in which such items are displayed.

The bill would delete these provisions and specifies instead that a retailer could choose not to individually price mark consumer items if the price and description of them were clearly and conspicuously indicated in letters and arabic numerals on a sign or tag that was attached firmly to and was immediately adjacent to the area where such items were displayed. (Thus, the bill would allow retailers to choose not to individually price mark any number of items offered for sale, as long as the items' prices and descriptions were "clearly and conspicuously" displayed nearby.)

The act currently provides that before a buyer who suffers a loss because of a wrong price "stamped or affixed to [an] item" may bring or join in a suit against a retailer, he or she must notify the seller in person or in writing within 30 days of purchasing the item about its wrong price. Upon giving notification to the seller, the buyer is entitled to receive from the seller the amount overcharged plus ten times that amount (but not less than \$1 or more than \$5). Under the bill, this provision would apply to a situation where a buyer paid more for an item than the price clearly and conspicuously displayed for it nearby, as provided for in the bill, rather than the price stamped or affixed to it.

MCL 445.351, 445.353 and 445.360a.

House Bill 4578 (4-13-93)