

House Bill 5382

Sponsor: Rep. Mickey Mortimer

Committee: Commerce

Complete to 11-2-01

A SUMMARY OF HOUSE BILL 5382 AS INTRODUCED 11-01-01

Section 9201 in Article 9 of the Uniform Commercial Code addresses the effectiveness and attachment of security interests. It specifies that a transaction subject to the article is subject to any applicable rule of law that establishes a different rule for consumers and is subject to a long list of state laws. House Bill 5382 would amend the section to add to the list Public Act 155 of 1981, which deals with the ownership of dies, molds, and forms used in the making of plastics. The act gives a "molder" a lien on any die, mold, or form in his or her possession that belonged to a customer of the molder. The lien is for the amount due to the molder from the customer for plastic fabrication work performed with the die, mold or form. The molder can retain possession of the die, mold, or form until the amount is paid. (The term "molder" refers both to a person who makes dies, molds, and forms and to a person who uses them to manufacture, assemble, or fabricate a plastic product.)

House Bill 5382 is tie-barred to House Bill 4812, which would amend Public Act 155 of 1981 to create a new set of provisions regarding the lien of a "moldbuilder". In House Bill 4812 as introduced, the term "moldbuilder" would mean a person who fabricates, molds, casts, or otherwise makes a die, mold, or form for use in the manufacture, assembly, or fabrication of a plastic part. The bill would give a moldbuilder a lien on any die, mold, or form that he or she fabricated, repaired, or modified in the amount that a customer or a molder owed to the moldbuilder for that work. The existing lien provisions in the act would continue to apply to a "molder", which would be defined to refer to a person who uses a die, mold, or form to manufacture, assemble, or fabricate a plastic product.

MCL 440.9201

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