

HOUSE BILL No. 5382

November 1, 2001, Introduced by Rep. Mortimer and referred to the Committee on Commerce.

A bill to amend 1962 PA 174, entitled
"Uniform commercial code,"
by amending section 9201 (MCL 440.9201), as amended by 2000 PA
348.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9201. (1) Except as otherwise provided in this act, a
2 security agreement is effective according to its terms between
3 the parties, against purchasers of the collateral, and against
4 creditors.

5 (2) A transaction subject to this article is subject to any
6 applicable rule of law that establishes a different rule for con-
7 sumers and to each of the following, as applicable:

8 (a) The regulatory loan act of 1963, 1939 PA 21, MCL 493.1
9 to 493.26.

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- 1 (b) 1939 PA 305, MCL 566.301 to 566.302.
- 2 (c) The motor vehicle sales finance act, 1950 (Ex Sess)
- 3 PA 27, MCL 492.101 to 492.141.
- 4 (d) The mobile home commission act, 1987 PA 96, MCL 125.2301
- 5 to 125.2349.
- 6 (e) The Michigan vehicle code, 1949 PA 300, MCL 257.1 to
- 7 257.923.
- 8 (f) 1978 PA 387, MCL 257.931 to 257.937.
- 9 (g) 1986 PA 87, MCL 257.1401 to 257.1410.
- 10 (h) The grain dealers act, 1939 PA 141, MCL 285.61 to
- 11 285.82a.
- 12 (i) The Michigan family farm development act, 1982 PA 220,
- 13 MCL 285.251 to 285.279.
- 14 (j) The natural resources and environmental protection act,
- 15 1994 PA 451, MCL 324.101 to 324.90106.
- 16 (k) 1982 PA 459, MCL 325.851 to 325.858.
- 17 (l) 1970 PA 90, MCL 442.311 to 442.315.
- 18 (m) 1971 PA 227, MCL 445.111 to 445.117.
- 19 (n) The retail installment sales act, 1966 PA 224,
- 20 MCL 445.851 to 445.873.
- 21 (o) The Michigan consumer protection act, 1976 PA 331,
- 22 MCL 445.901 to 445.922.
- 23 (p) The home improvement finance act, 1965 PA 332, MCL
- 24 ~~445.1102~~ 445.1101 to 445.1431.
- 25 (q) 1941 PA ~~338~~ 238, MCL 566.1.
- 26 (r) The garage keeper's lien act, 1915 PA 312, MCL 570.301
- 27 to 570.309.

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1 (s) 1939 PA 3, MCL 460.1 to 460.10cc.

2 (T) 1981 PA 155, MCL 445.611 TO 445.620C.

3 (3) In case of conflict between this article and a rule of
4 law, statute, or regulation described in subsection (2), the rule
5 of law, statute, or regulation controls. Failure to comply with
6 a statute or regulation described in subsection (2) has only the
7 effect the statute or regulation specifies.

8 (4) This article does not validate any rate, charge, agree-
9 ment, or practice that violates a rule of law, statute, or regu-
10 lation described in subsection (2), or extend the application of
11 the rule of law, statute, or regulation to a transaction not oth-
12 erwise subject to it.

13 Enacting section 1. This amendatory act does not take
14 effect unless House Bill No. 4812 of the 91st Legislature is
15 enacted into law.