



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4673 (Substitute H-1 as reported without amendment)

Sponsor: Representative Pam Byrnes

House Committee: Commerce

Senate Committee: Commerce and Tourism

CONTENT

The bill would amend Public 39 of 1961 (which regulates insurance, bankruptcy, mortgage, insolvent, assignee's, executor's, administrator's, receiver's, trustee's, and closing out sales and sales of damaged goods) to allow a city, village, or township clerk to waive the application fee for a license and the renewal of a license to conduct a sale regulated under the Act.

Subject to certain exceptions, the Act prohibits a person from advertising, representing, or holding out that any sale of goods is an insurance, bankruptcy, mortgage, insolvent, assignee's, executor's, administrator's, receiver's, or trustee's sale, a going-out-of business sale, or a sale of goods damaged by fire, smoke, water, or otherwise, unless the person first obtains a license from the clerk of the city, village, or township in which he or she proposes to conduct the sale.

A license may not be issued or valid for more than 30 days from the start of the sale, and the sale may be conducted only during the period identified in the license. A license may be renewed, not more than twice, for up to 30 days for each renewal. A \$50 fee must accompany an application for a license or a license renewal. The bill would require the fee, unless the city, village, or township clerk receiving the application waived it.

MCL 442.216

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on the State. The bill could decrease revenue to local units of government by an unknown amount, depending upon the number of local units that opted to waive the fee and how frequently waivers were granted.

Date Completed: 9-12-07

Fiscal Analyst: David Zin