

# HOUSE BILL No. 4673

April 26, 2007, Introduced by Reps. Byrnes, Mayes, Coulouris, Dean, Polidori, Gonzales and Hopgood and referred to the Committee on Commerce.

A bill to amend 1961 PA 39, entitled

"An act to regulate insurance, bankruptcy, mortgage, insolvent, assignee's, executor's, administrator's, receiver's, trustee's removal and closing out sales, and sales of goods, wares and merchandise damaged by fire, smoke, water or otherwise; to provide penalties for the violation hereof; and to repeal certain acts and parts of acts,"

by amending section 6 (MCL 442.216).

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 6. (1) A license to conduct a sale issued pursuant to  
2       **UNDER** this act shall not be issued or valid for a period of more  
3       than 30 days from the start of the sale, and the sale may be  
4       conducted only during the period set forth in the license. ~~The~~

5       (2) **A license TO CONDUCT A SALE ISSUED UNDER THIS ACT** may be  
6       renewed not more than twice, for a period not to exceed 30 days for

1 each renewal. ~~upon~~ **A PERSON REQUESTING A RENEWAL UNDER THIS**  
2 **SUBSECTION MUST PROVIDE AN** affidavit of the licensee that the goods  
3 listed in the inventory have not been disposed of and that no new  
4 goods have been or will be added to the inventory previously filed  
5 pursuant to this act, by purchase, acquisition on consignment, or  
6 otherwise. The application for renewal of the license shall be made  
7 not more than 13 days ~~prior to~~ **BEFORE** the time of the expiration of  
8 the license and shall contain a new inventory of goods remaining on  
9 hand at the time the application for renewal is made, ~~which new~~  
10 ~~inventory shall be prepared and furnished in the same manner and~~  
11 ~~form as the original inventory.~~ ~~No~~ **A** renewal shall **NOT** be granted  
12 if any goods have been added to the stock listed in the inventory  
13 since the date of the issuance of the license.

14 (3) A fee of \$50.00 shall accompany an application for the  
15 license and for the renewal of a license. **IF THE SALE IS A**  
16 **BANKRUPTCY SALE, THE CLERK OF THE CITY, VILLAGE, OR TOWNSHIP**  
17 **RECEIVING THE APPLICATION MAY WAIVE THE FEE IF THE APPLICANT**  
18 **PROVIDES WITH THE APPLICATION A COPY OF AN ORDER OF A FEDERAL**  
19 **BANKRUPTCY COURT APPROVING OR DIRECTING THE HOLDING OF THE SALE.**