

# HOUSE BILL No. 4359

February 19, 2009, Introduced by Reps. Meltzer, Gregory, Meadows, Kandrevas, Proos, Walsh, Marleau, Tyler and Roy Schmidt and referred to the Committee on Judiciary.

A bill to amend 1981 PA 155, entitled

"An act to provide for ownership rights in dies, molds, and forms for use in the fabrication of plastic parts under certain conditions and to establish a lien on certain dies, molds, and forms,"

by amending section 10a (MCL 445.620a), as added by 2002 PA 17.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 10a. Subject to section 10b, if the moldbuilder has not  
2    been paid the amount claimed in the notice required under section  
3    10 within ~~90~~30 days after the notice ~~required under section 10~~ has  
4    been received by the customer and the molder, the moldbuilder has a  
5    right to **IMMEDIATE** possession of the die, mold, or form and may  
6    enforce the right to **IMMEDIATE** possession of the die, mold, or form  
7    by judgment, foreclosure, or any available judicial procedure,  
8    **INCLUDING A MOTION ALLOWED UNDER THE COURT RULES.** The moldbuilder  
9    may do 1 or ~~more~~**BOTH** of the following:

1 (a) Take **IMMEDIATE** possession of the mold, die, or form. The  
2 moldbuilder may take **IMMEDIATE** possession without judicial process  
3 if this can be done without breach of the peace.

4 (b) Sell the die, mold, or form in a public auction.

5 Enacting section 1. This amendatory act does not take effect  
6 unless all of the following bills of the 95th Legislature are  
7 enacted into law:

8 (a) Senate Bill No. \_\_\_\_ or House Bill No. \_\_\_\_ (request no.  
9 01522'09).

10 (b) Senate Bill No. \_\_\_\_ or House Bill No. 4358 (request no.  
11 01524'09).