

HOUSE BILL No. 5785

February 9, 2010, Introduced by Rep. Geiss and referred to the Committee on Commerce.

A bill to amend 1989 PA 257, entitled

"An act to regulate the activities of businesses engaged in the cleaning, repair, alteration, or storage of clothing and certain other articles; to provide for the disposition of those articles that are unclaimed; and to repeal certain acts and parts of acts,"

by amending sections 3, 5, 9, and 11 (MCL 445.1753, 445.1755, 445.1759, and 445.1761).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. Except as provided in section 7, the owner of an
2 article delivered to a business for the purpose of cleaning or
3 repair services shall lose his or her ownership rights to the
4 article not less than ~~1-year~~ **180 DAYS** after the date the article
5 was delivered to the business if the article has been in the
6 possession of the business for more than ~~1-year~~ **180 DAYS** after the
7 date of delivery to that business.

8 Sec. 5. Except as provided in section 7, the owner of an

1 article delivered to a business for the purpose of storage shall
2 lose his or her ownership rights to the article not less than ~~1~~
3 ~~year~~ **180 DAYS** after the date on which the storage agreement
4 terminated or expired if the article has been in the possession of
5 that business for more than ~~1 year~~ **180 DAYS** after the storage
6 agreement terminated or expired.

7 Sec. 9. (1) ~~On or after the effective date of this act,~~
8 **BEGINNING APRIL 1, 2011**, the owner's rights to an article shall
9 immediately terminate if any of the following circumstances exists:

10 (a) The article was delivered to the business for the purpose
11 of cleaning or repair services and has been in the possession of
12 that business for more than ~~1 year~~ **180 DAYS** after the date of
13 delivery to that business.

14 (b) The article was delivered to the business for the purpose
15 of storage and has been in the possession of that business for more
16 than ~~1 year~~ **180 DAYS** after the date the storage agreement
17 terminated or expired.

18 (2) ~~Upon the loss of~~ **SUBJECT TO SECTION 7, WHEN** the owner's
19 rights to an article ~~as provided for by~~ **ARE TERMINATED UNDER** this
20 act, the business ~~shall become~~ **BECOMES** the owner of the article.

21 (3) A business may sell, donate, or otherwise dispose of an
22 article ~~upon the loss of~~ **IF** the owner's rights to an article **ARE**
23 **TERMINATED UNDER THIS ACT.**

24 Sec. 11. A business shall display in a prominent place in its
25 retail store notices substantially complying with the following:

26 "ANY CLOTHING, GARMENT, WEARING APPAREL, LEATHER GARMENT, FUR
27 COAT OR GARMENT, CURTAIN, DRAPERY, RUG, CARPET, OR HOUSEHOLD

1 FURNISHING DRY CLEANED, DYED, PRESSED, LAUNDERED, ALTERED, OR
2 REPAIRED ~~WHICH-THAT~~ IS NOT PICKED UP WITHIN ~~1-YEAR-180 DAYS~~ AFTER
3 THE DATE IT WAS DELIVERED MAY BE SOLD, DONATED, OR OTHERWISE
4 DISPOSED OF PURSUANT TO ACT NO. _____ OF THE PUBLIC ACTS OF _____
5 1989 PA 257."

6 "ANY CLOTHING, GARMENT, WEARING APPAREL, LEATHER GARMENT, FUR
7 COAT OR GARMENT, CURTAIN, DRAPERY, RUG, CARPET, OR HOUSEHOLD
8 FURNISHING DELIVERED FOR STORAGE ~~WHICH-THAT~~ IS NOT PICKED UP WITHIN
9 ~~1-YEAR-180 DAYS~~ AFTER THE DATE THE STORAGE AGREEMENT TERMINATED OR
10 EXPIRED MAY BE SOLD, DONATED, OR OTHERWISE DISPOSED OF PURSUANT TO
11 ACT NO. _____ OF THE PUBLIC ACTS OF _____ 1989 PA 257."

12 Enacting section 1. This amendatory act takes effect April 1,
13 2011.