

TRANSIENT MERCHANTS (EXCERPT)
Act 51 of 1925

445.371 Definitions.

Sec. 1. As used in this act

(a) "Transient merchant" means any person, firm, association, or corporation engaging temporarily in a retail sale of goods, wares, or merchandise, in any place in this state and who, for the purpose of conducting business, occupies any lot, building, room, or structure of any kind. The term shall not apply to any of the following:

(i) A person selling goods, wares, or merchandise of any description raised, produced, or manufactured by the individual offering the same for sale.

(ii) A person soliciting orders by sample, brochure, or sales catalog for future delivery or making sales at residential premises pursuant to an invitation issued by the owner or legal occupant of the premises.

(iii) A person handling vegetables, fruits, or perishable farm products at any established city or village market.

(iv) A person operating a store or refreshment stand at a resort or having a booth on or adjacent to the property owned or occupied by him or her.

(v) A person operating a stand on any fairgrounds.

(vi) A person selling at an art fair or festival or similar event at the invitation of the event's sponsor if all of the following conditions are met:

(A) The sponsor is a governmental entity or nonprofit organization.

(B) The person provides the sponsor with the person's sales tax license number.

(C) The sponsor provides a list of the event's vendors and their sales tax license numbers to the county treasurer and the state treasurer.

(b) "Person" includes any corporation, or partnership, or 2 or more persons having a joint or common interest.

History: 1925, Act 51, Eff. Aug. 27, 1925;—CL 1929, 9748;—CL 1948, 445.371;—Am. 1988, Act 292, Imd. Eff. Aug. 4, 1988.

Former law: See Act 259 of 1899; Act 191 of 1901, being CL 1915, §§ 6984 to 7000; Act 294 of 1913, being CL 1915, §§ 7001 to 7009; Act 191 of 1915; and Act 383 of 1921.