

Act No. 20
Public Acts of 1989
Approved by the Governor
May 16, 1989
Filed with the Secretary of State
May 17, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Reps. Maynard, DeMars, Rocca, Bartnik, Scott, Dutko, Varga, DeBeaussaert, Gire, Stupak, Griffin, Spaniola and Hoekman

ENROLLED HOUSE BILL No. 4275

AN ACT to amend the title and sections 1, 2, and 3 of Act No. 359 of the Public Acts of 1921, entitled as amended "An act to provide for the issuance of veterans' licenses without cost to former members of the coast guard, soldiers, sailors or marines of the military or naval service of the United States, to hawk, vend and peddle their own goods, wares and merchandise within this state," being sections 35.441, 35.442, and 35.443 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. The title and sections 1, 2, and 3 of Act No. 359 of the Public Acts of 1921, being sections 35.441, 35.442, and 35.443 of the Michigan Compiled Laws, are amended to read as follows:

TITLE

An act to provide for the issuance of veterans' licenses without cost to former members of the armed forces of the United States to sell their own goods within this state; and to prescribe remedies.

Sec. 1. Every honorably discharged member of the armed forces of the United States who served at least 180 days of active duty service in the armed forces or has a service connected disability as a result of that service and is a resident of this state has the right to sell his or her own goods within this state if the proceeds from the sale of the goods are to be used for the direct personal benefit or gain of that former member, by procuring a license for that purpose issued as provided in this act, which shall be valid for a period of 1 year.

Sec. 2. (1) Upon the presentation to the clerk of any county, in which any former member of the armed forces resides, of a certificate of honorable discharge from the armed forces of the United States, showing that the person presenting it served at least 180 days of active duty service or upon the presentation to the clerk of a certificate from the United States department of veterans affairs certifying that the person has a service connected disability, the county clerk shall issue without cost to the former member a veteran's license certifying him or her to be entitled to the benefits of this act. The county clerk shall provide proper forms and books and shall keep a record of all licenses issued under this act. A license issued under this act is personal to the licensee. An assignment or transfer of the license is void.

(2) The licensee while engaged in selling goods under this act shall conspicuously display a sign at the place of sale which contains the following information in not less than 18-point boldfaced type:

- (a) The name of the licensee.
- (b) The license number.
- (c) A statement in substantially the following form:

"The profit from the sale of this product is for my personal benefit".

(3) At the time of sale of goods under this act, a written statement of not less than 12-point boldfaced type shall be printed on or attached to the goods, in substantially the following form:

"The profit from the sale of this product is for my personal benefit".

(4) A person shall not knowingly make a false representation that the proceeds from goods sold under this act benefit a veterans' organization. As used in this subsection "veterans' organization" means any of the following:

(a) A veterans' organization chartered under federal law.

(b) An organization composed of veterans as defined in Act No. 190 of the Public Acts of 1965, being sections 35.61 to 35.62 of the Michigan Compiled Laws, that is organized for a bona fide fraternal, benevolent, educational, philanthropic, humane, patriotic, or eleemosynary purpose.

(5) A person who violates subsection (2), (3), or (4) is responsible for a civil infraction and may be liable for a civil fine of not more than \$1,000.00.

(6) The prosecutor for the county in which a person violated this act shall bring a civil action in any court of competent jurisdiction to enforce this act.

Sec. 3. Nothing in this act shall be construed as contravening the provisions of Act No. 51 of the Public Acts of 1925, being sections 445.371 to 445.378 of the Michigan Compiled Laws.

This act is ordered to take immediate effect.

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Clerk of the House of Representatives.

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Secretary of the Senate.

Approved

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Governor.