

Legislative Analysis



EXCLUDE CERTAIN SHOPS FROM DEFINITION OF SECOND HAND DEALERS AND JUNK DEALERS

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 713 (Substitute S-1)

Sponsor: Sen. Mike Nofs

House Committee: Regulatory Reform

Senate Committee: Regulatory Reform

Complete to 5-15-12

A SUMMARY OF SENATE BILL 713 AS PASSED BY THE SENATE 3-28-12

Public Act 350 of 1917 regulates and provides for the local licensure of second hand goods and junk dealers. Senate Bill 713 (S-1) would amend the act to exclude from the definition of second hand dealer or junk dealer, a retail store or business that deals primarily in the purchase and resale of second hand clothing, children's furniture and equipment, children's toys, sporting goods (excluding firearms), or musical instruments.

The bill would also prohibit a city, county, or village, by ordinance or otherwise, from regulating as a second hand dealer or junk dealer, a person that is excluded from the definition, as described above, or requiring that person to obtain a license to carry on its business in that city, county, or village.

MCL 445.402 and 445.403

FISCAL IMPACT:

Senate Bill 713 would likely have no fiscal impact on local governments. By excluding certain entities from the definition of "junk dealer," the local government would no longer incur the administrative costs associated with oversight. Despite the fact that the local government will no longer be allowed to collect licensing fees from these entities, the licensing fees are required to be set at the cost of administering the license. The bill would have no fiscal impact on state government.

Legislative Analyst: Jeff Stoutenburg

Fiscal Analyst: Ben Gielczyk

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.