

HOUSE BILL No. 6304

June 29, 2006, Introduced by Reps. Mayes, Tobocman, Gillard, Cushingberry, Bieda, Condino, Dillon and Adamini and referred to the Committee on Judiciary.

A bill to amend 1976 PA 449, entitled

"An act to regulate the pricing of consumer items and the advertising of consumer items, services, goods, merchandise, commodities, and real property; to prescribe the powers and duties of certain state and local officials in relation thereto; to provide remedies and penalties; and to repeal certain acts and parts of acts,"

by amending section 10 (MCL 445.360), as amended by 1984 PA 344.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 10. (1) Whether or not a person seeks damages or has an
2 adequate remedy at law, a person may bring an action to do either
3 or both of the following if the attorney general or prosecuting
4 attorney fails to initiate action within 60 days after receiving
5 notice of an alleged violation of this act:

6 (a) Obtain a declaratory judgment that a practice is in

1 violation of this act.

2 (b) Enjoin by temporary or permanent injunction a person who
3 is engaging or is about to engage in a practice in violation of
4 this act.

5 (2) Except as provided in section 10a, a person who suffers
6 loss as a result of a violation of this act may bring an individual
7 or a class action to recover actual damages or \$250.00, whichever
8 is greater, for each day on which violations of this act ~~have been~~
9 **ARE** found ~~together with~~ **AND** reasonable ~~attorneys'~~ **ATTORNEY** fees
10 ~~not to exceed \$300.00~~ in an individual action.