



HOUSE BILL No. 6087

November 9, 2000, Introduced by Reps. Martinez, Spade, LaForge, Cherry, DeHart, Minore, Schermesser, Garza, Brater, Dennis, Jacobs, Scott, Jamnick and Bovin and referred to the Committee on Insurance and Financial Services.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
(MCL 600.101 to 600.9948) by adding section 2919b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2919B. (1) IF A RETAIL ESTABLISHMENT OVERCHARGES A
2 CONSUMER WHO USED A CREDIT OR DEBIT CARD TO PAY FOR A CONSUMER
3 GOOD OR SERVICE, BY SUBMITTING THE CHARGE OR DEBIT ELECTRONICALLY
4 MORE THAN 1 TIME FOR PAYMENT, THE CONSUMER MAY RECOVER ANY OVER-
5 DRAFT CHARGES OR LATE FEES INCURRED, COSTS AND REASONABLE ATTOR-
6 NEY FEES, AND 3 TIMES THE AMOUNT OF THE OVERPAYMENT. THIS REMEDY
7 IS IN ADDITION TO ANY OTHER RIGHT OR REMEDY AVAILABLE TO THE
8 CONSUMER.

9 (2) AS USED IN THIS SECTION:

10 (A) "CONSUMER" MEANS A NATURAL PERSON WHO PURCHASES A GOOD
11 OR SERVICE FOR PERSONAL USE OR CONSUMPTION.

1 (B) "RETAIL ESTABLISHMENT" MEANS A PLACE OF BUSINESS THAT
2 OFFERS GOODS OR SERVICES FOR SALE TO THE GENERAL PUBLIC.