

ACT 15: A BRIEF SUMMARY

Michigan Dept. of Agriculture and Rural Development

Act 15, the "Shopping Reform and Modernization Act" became effective on September 1, 2011. This legislation replaces the item pricing law Act 449; "Pricing and Advertising of Consumer Items". The following bullet points are provided to briefly summarize Act 15:

- The duties of implementation, administration and investigation of section 7 and 8 are assigned to the office of Weights and Measures.
 - Complaints can be filed with Weights and Measures by calling 1-800-632-3835.
- The Attorney General still maintains complete authority over the act as a whole.
 - Complaints can be filed at www.michigan.gov/ag
- All complaints are investigated and legal action could result.
- A price is "displayed" for a consumer item if the price is:
 - stamped, affixed, or otherwise marked on the consumer item
 - the price of the consumer item is displayed, by signage, by an electronic reader
 - by any other method that clearly and reasonably conveys the current price of the consumer item, to a consumer when in the store at the place where the item is located
- Thirteen items are exempt from having to display a price. These are the same thirteen items from Act 449 section 2 that did not require a price to be affixed to them.
- Advertisements cannot be "untrue, deceptive, or misleading" in any way.
- Establishments cannot knowingly charge or attempt to charge a retail price that is higher than the price displayed for that item.
- All pricing must be correct; if there is a conflict with pricing, the lowest price displayed must be charged for that item.
- **The Bounty** (bonus) is still in effect, now even for sale items. The conditions that need to be met in order to be eligible for the bounty (bonus) are as follows:
 - There is a price displayed for the consumer item (the price does not need to be affixed to the item in question).
 - The sale is recorded by an automatic checkout system.
 - The buyer is given a receipt that describes the item and states the price charged for the item.
 - Consumers have 30 days to bring it to the establishment's attention, either in writing or in person.
 - Within 2 days from receiving the notice the establishment is to refund the difference between the amount charged and the amount displayed, plus a "bonus" of 10 times the difference not less than \$1 and with a maximum of \$5.
 - The establishment can choose not to pay the bounty (bonus); however,
 - The customer has the legal right to take the establishment to court and may receive \$250.00 in damages and up to \$300.00 in attorneys' fees.

For more information or a copy of the new law please see: www.michigan.gov/ag

For questions or concerns related to weights and measures, advertising and or legal methods of sale, please contact the Office of Weights and Measures at 517-655-8202 or visit us on the web at www.michigan.gov/wminfo.