LICENSE TO SELL GOODS

Act 359 of 1921

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.

History: 1921, Act 359, Eff. Aug. 18, 1921 ;-- Am. 1947, Act 11, Imd. Eff. Mar. 13, 1947 ;-- Am. 1989, Act 20, Imd. Eff. May 17, 1989

The People of the State of Michigan enact:

35.441 Right of veteran to sell goods; condition; license; "veteran" defined.

Sec. 1.

(1) A veteran may sell his or her own goods within this state if the proceeds from the sale of the goods are to be used for his or her direct personal benefit or gain.

(2) A veteran who wishes to sell his or her own goods as authorized under subsection (1) shall obtain a license for that purpose as provided in this act. A license issued under this act is valid for a period of 1 year.

(3) As used in this act, "veteran" means an individual who meets all of the following:

(a) Is a veteran as defined in section 1 of 1965 PA 190, MCL 35.61.

(b) Served at least 180 days of active service in the armed forces of the United States or has a service-connected disability as a result of service in the armed forces of the United States.

(c) Was honorably discharged.

(d) Is a resident of this state.

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History: 1921, Act 359, Eff. Aug. 18, 1921 ;-- CL 1929, 905 ;-- Am. 1947, Act 11, Imd. Eff. Mar. 13, 1947 ;-- CL 1948, 35.441 ;-- Am. 1989, Act 20, Imd. Eff. May 17, 1989 ;-- Am. 2016, Act 214, Eff. Sept. 20, 2016
Former Law: See Act 191 of 1901, being CL 1915, §§ 6984 to 7000, and Act 294 of 1913, being CL 1915, §§ 7001 to 7009, which were repealed by section 9 of Act 51 of 1925.

35.442 Issuance of veteran's license by county clerk without cost; requirements; forms and books; record; assignment or transfer of license void; sign; statement; false representation prohibited; "veterans' organization" defined; violation as civil infraction; fine.

Sec. 2.

(1) Upon the presentation of evidence that the person is a veteran to the clerk of any county in which the veteran resides, the county clerk shall issue without cost to the veteran 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 that 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 that is organized for a bona fide fraternal, benevolent, educational, philanthropic, humane, patriotic, or charitable purpose.

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

History: 1921, Act 359, Eff. Aug. 18, 1921 ;-- CL 1929, 906 ;-- Am. 1947, Act 11, Imd. Eff. Mar. 13, 1947 ;-- CL 1948, 35.442 ;-- Am. 1989, Act 20, Imd. Eff. May 17, 1989 ;-- Am. 1996, Act 187, Imd. Eff. May 7, 1996 ;-- Am. 2016, Act 214, Eff. Sept. 20, 2016

35.443 Provisions of MCL 445.371 to 445.378 not contravened.

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.

History: 1921, Act 359, Eff. Aug. 18, 1921 ;-- CL 1929, 907 ;-- CL 1948, 35.443 ;-- Am. 1989, Act 20, Imd. Eff. May 17, 1989
Compiler's Notes: Act 191 of 1901 and Act 294 of 1913, referred to in this section, were repealed by Act 51 of 1925. See now MCL 445.371 et seq.

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