

HOUSE BILL NO. 5137

October 28, 2025, Introduced by Rep. Wegela and referred to Committee on Economic Competitiveness.

A bill to amend 2011 PA 15, entitled
"Shopping reform and modernization act,"
by amending sections 9 and 12 (MCL 445.319 and 445.322).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) Except as provided in subsection (4), this section
2 applies to a sale at retail that meets all of the following
3 conditions:

4 (a) There is a price displayed for the consumer item.

5 (b) The sale is recorded by an automatic checkout system.

1 (c) The buyer is given a receipt that describes the item and
2 states the price charged for the item.

3 (2) Before bringing or joining in an action under section
4 12(2), ~~within~~**not later than** 30 days after purchasing a consumer
5 item, a buyer who suffers a loss because the price charged for the
6 item is more than the price displayed for that item shall notify
7 the seller in person or in writing that the price charged is more
8 than the price displayed for that item. The notice ~~shall~~**must**
9 include evidence of the loss suffered by the buyer. If the seller
10 pays the buyer 1 of the following amounts within 2 days after the
11 seller receives notification under this subsection, the buyer is
12 barred from any further recovery for that loss:

13 (a) Unless subdivision (b) applies, an amount equal to the
14 difference between the price displayed and the price charged for
15 the consumer item, plus an amount equal to 10 times that difference
16 but that is not less than ~~\$1.00~~**\$10.00** or more than ~~\$5.00~~**\$50.00**.

17 (b) If a loss is suffered by a buyer on 2 or more identical
18 consumer items in a single transaction, an amount equal to the
19 difference between the price displayed and the price charged for
20 each of those identical items, plus an amount equal to 10 times
21 that difference for 1 of the identical items but that is not less
22 than ~~\$1.00~~**\$10.00** or more than ~~\$5.00~~**\$50.00**.

23 (3) If a seller does not pay a buyer who suffers a loss
24 described in subsection (2) the amount described in that subsection
25 for that loss, the buyer may bring or join in an action against the
26 seller under section 12(2).

27 (4) This section does not apply to a sale at retail in which
28 the seller intentionally charges more for a consumer item than the
29 price displayed for the item.

(5) Beginning on January 1, 2028, the state treasurer shall adjust the amounts in subsection (2) by an amount determined by the state treasurer to reflect the cumulative annual percentage change in the Detroit Consumer Price Index.

(6) As used in this section and section 12, "Detroit Consumer Price Index" means the most comprehensive index of consumer prices available for the Detroit-Warren-Dearborn area from the Bureau of Labor Statistics of the United States Department of Labor.

Sec. 12. (1) Whether or not a person seeks damages or has an adequate remedy at law, a person may bring an action to do either or both of the following if the attorney general or prosecuting attorney fails to initiate action ~~within~~**not later than** 60 days after receiving notice of an alleged violation of this act:

(a) Obtain a declaratory judgment that an act or practice violates this act.

(b) Enjoin by temporary or permanent injunction a person that is engaging or is about to engage in an act or practice that violates this act.

(2) Except as provided in section 9, a person that suffers a loss as a result of a violation of this act may bring an individual or a class action to recover actual damages or ~~\$250.00,~~**\$500.00**, whichever is greater, for each day on which a violation of this act is found, together with reasonable ~~attorneys'~~**attorney** fees that do not exceed \$300.00 in an individual action.

(3) Beginning on January 1, 2028, the state treasurer shall adjust the amount of actual damages in subsection (2) by an amount determined by the state treasurer to reflect the cumulative annual percentage change in the Detroit Consumer Price Index.