

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.2917 Liability of library, merchant, agent, or independent contractor for conduct involving person suspected of larceny of goods or library materials, or of violating MCL 750.356c or MCL 750.356d; definitions.

Sec. 2917.

(1) In a civil action against a library or merchant, an agent of the library or merchant, or an independent contractor providing security for the library or merchant for false imprisonment, unlawful arrest, assault, battery, libel, or slander, if the claim arises out of conduct involving a person suspected of removing or of attempting to remove, without right or permission, goods held for sale in a store from the store or library materials from a library, or of violating section 356c or 356d of the Michigan penal code, Act No. 328 of the Public Acts of 1931, being sections 750.356c and 750.356d of the Michigan Compiled Laws, and if the merchant, library, agent, or independent contractor had probable cause for believing and did believe that the plaintiff had committed or aided or abetted in the larceny of goods held for sale in the store, or of library materials, or in the violation of section 356c or 356d of Act No. 328 of the Public Acts of 1931, damages for or resulting from mental anguish or punitive, exemplary, or aggravated damages shall not be allowed a plaintiff, unless it is proved that the merchant, library, agent, or independent contractor used unreasonable force, detained the plaintiff an unreasonable length of time, acted with unreasonable disregard of the plaintiff's rights or sensibilities, or acted with intent to injure the plaintiff.

(2) As used in this section:

(a) "Library" includes a public library; a library of an educational, historical, or eleemosynary institution or organization; a museum; an archive; and a repository of public records or historical records, or both.

(b) "Library material" includes a plate; picture; photograph; engraving; painting; drawing; map; newspaper; book; magazine; pamphlet; broadside; manuscript; document; letter; public record; microfilm; sound recording; audiovisual material; magnetic or other tape; optical storage disc or other recording medium; electronic data processing record; artifact; and other documentary, written, or printed material.

History: 1961, Act 236, Eff. Jan. 1, 1963 ;-- Am. 1983, Act 223, Imd. Eff. Nov. 28, 1983 ;-- Am. 1988, Act 50, Eff. June 1, 1988 ;-- Am. 1992, Act 192, Imd. Eff. Oct. 5, 1992