

Act No. 505  
Public Acts of 2006  
Approved by the Governor  
December 28, 2006  
Filed with the Secretary of State  
December 29, 2006  
EFFECTIVE DATE: December 29, 2006

**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2006**

Introduced by Senator Allen

# **ENROLLED SENATE BILL No. 928**

AN ACT to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof," by amending section 3 (MCL 429.113).

*The People of the State of Michigan enact:*

Sec. 3. (1) A person that violates this act is guilty of a misdemeanor. Each container possessed in violation of this act is a separate offense.

(2) A person may bring a civil action against a person that violates section 2(1) for damages or equitable relief. In an action for damages, the person may recover actual damages or \$2,000.00, whichever is greater, for each violation of section 2(1) and costs and reasonable attorney fees.

(3) A person who brings an action in a court in this state to collect payment for transferring liquefied petroleum or carbonic gas into or out of a stationary liquefied petroleum or carbonic gas container must allege and prove that the person complied with section 2(1) in the transfer of the gas to prevail in that action.

Enacting section 1. This amendatory act takes effect July 1, 2006.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 927 of the 93rd Legislature is enacted into law.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate

*Gay E. Randall*

Clerk of the House of Representatives

Approved .....

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Governor