

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL  
No. 1275 Session of  
1988

INTRODUCED BY MELLOW, MUSTO, AFFLERBACH AND SALVATORE,  
FEBRUARY 16, 1988

AS REPORTED FROM COMMITTEE ON CONSUMER AFFAIRS, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 27, 1988

AN ACT

1 Providing for the disposal of unclaimed garments.

2 The General Assembly of the Commonwealth of Pennsylvania  
3 hereby enacts as follows:

4 Section 1. Unclaimed garments.

5 A garment left with a retail dry cleaner or retail launderer  
6 for dry cleaning or laundering ~~which is not redeemed within 90~~ <—  
7 ~~days~~ may be disposed of by the dry cleaner or launderer without  
8 liability or responsibility for the garment ~~from~~ OR FOR proceeds <—  
9 realized from its disposal, provided the requirements of ~~section~~ <—  
10 ~~2~~ THIS ACT are complied with. <—

11 ~~Section 2. Notice.~~ <—

12 ~~Before a garment may be disposed of under section 1, the~~  
13 ~~retail dry cleaner or retail launderer shall send a certified~~  
14 ~~letter, return receipt requested, to the owner of the garment or~~  
15 ~~garments as listed on the dry cleaning or laundry ticket. The~~  
16 ~~retail dry cleaner or retail launderer must wait 30 days after~~

1 ~~the letter was mailed before he may dispose of the garment or~~  
2 ~~garments. The garment owner has the right to redeem the garment~~  
3 ~~or garments during this time period by paying the cost of the~~  
4 ~~dry cleaning or laundering and the cost of the certified letter.~~

5 ~~Section 3. Charitable donation.~~

6 ~~Without regard to the provisions of section 2, any garment~~  
7 ~~which remains unclaimed for a period of one year from the~~  
8 ~~initial date of its deposit with a dry cleaner or retail~~  
9 ~~launderer may be donated to any charity of the dry cleaner's or~~  
10 ~~launderer's choice.~~

11 SECTION 2. RECEIPT FOR GARMENTS.

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12 AT THE TIME A DRY CLEANER OR LAUNDERER RECEIVES GARMENTS FROM  
13 A CUSTOMER FOR CLEANING OR LAUNDERING, THE DRY CLEANER OR  
14 LAUNDERER SHALL PROVIDE TO THE CUSTOMER A DEPOSIT RECEIPT  
15 CONTAINING THE NAME AND MAILING ADDRESS OF THE CUSTOMER, A BASIC  
16 DESCRIPTION OF THE GARMENTS ALONG WITH A STATEMENT OF THE  
17 QUANTITY OF EACH GARMENT LEFT, AN ITEMIZATION OF THE CHARGES FOR  
18 THE WORK TO BE DONE AND THE PROJECTED DATE WHEN THE GARMENTS  
19 SHALL BE READY FOR PICK UP BY THE CUSTOMER.

20 SECTION 3. NOTICE.

21 IF A GARMENT IS NOT RETRIEVED AND PAID FOR BY A CUSTOMER  
22 WITHIN 90 DAYS OF THE READY DATE SPECIFIED ON THE CUSTOMER'S  
23 RECEIPT, THE CLEANER OR LAUNDERER MAY PROVIDE A WRITTEN NOTICE  
24 TO THE CUSTOMER BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED,  
25 MAILED TO THE CUSTOMER AT THE ADDRESS GIVEN ON THE DEPOSIT  
26 RECEIPT. SUCH NOTICE SHALL SPECIFY THE AMOUNT OWING TO THE  
27 CLEANER OR LAUNDERER AND STATE THAT THE GARMENT SHALL BE  
28 DISPOSED OF BY THE CLEANER OR LAUNDERER WITHIN 30 DAYS FROM THE  
29 DATE OF DELIVERY OF THE NOTICE UNLESS THE GARMENT IS CLAIMED BY  
30 THE CUSTOMER AND ALL CHARGES ARE PAID IN FULL.

1 SECTION 4. REFUSED OR UNCLAIMED NOTICES.

2 IF A NOTICE MAILED PURSUANT TO SECTION 3 IS RETURNED TO THE  
3 CLEANER OR LAUNDERER AS BEING UNCLAIMED OR DELIVERY REFUSED, THE  
4 CLEANER OR LAUNDERER SHALL SEND A SECOND NOTICE TO THE CUSTOMER  
5 BY MAIL, FIRST CLASS POSTAGE PREPAID, WITH A CERTIFICATE OF  
6 MAILING, INDICATING THAT THE GARMENT WILL BE DISPOSED OF BY THE  
7 CLEANER OR LAUNDERER WITHIN 30 DAYS OF THE DATE OF MAILING OF  
8 THE LETTER UNLESS THE GARMENT IS CLAIMED BY THE CUSTOMER AND ALL  
9 CHARGES ARE PAID IN FULL.

10 SECTION 5. DISPOSAL OF UNCLAIMED PROPERTY.

11 IF A CUSTOMER DOES NOT CLAIM A GARMENT AND PAY ALL CHARGES  
12 DUE AND OWING, INCLUDING THE COST OF MAILING THE NOTICES  
13 SPECIFIED IN SECTIONS 3 AND 4, AND ANY CHARGE FOR STORAGE,  
14 WITHIN 30 DAYS OF THE RECEIPT OF A NOTICE MAILED IN ACCORDANCE  
15 WITH SECTION 3 OR WITHIN 30 DAYS OF THE MAILING OF A NOTICE IN  
16 ACCORDANCE WITH SECTION 4 OR WITHIN 30 DAYS OF THE DATE A NOTICE  
17 MAILED IN ACCORDANCE WITH SECTION 4 IS RETURNED TO THE SENDER  
18 WITH A NOTATION THAT THE ADDRESSEE HAS MOVED AND LEFT NO  
19 FORWARDING ADDRESS, THE CLEANER OR LAUNDERER MAY DISPOSE OF THE  
20 GARMENT IN ANY MANNER WHATSOEVER. THE NOTICE SPECIFIED IN  
21 SECTION 3 SHALL BE CONSIDERED TO BE RECEIVED BY THE ADDRESSEE IF  
22 SIGNED FOR BY THE ADDRESSEE OR BY A PERSON SIGNING ON BEHALF OF  
23 THE ADDRESSEE.

24 SECTION 6. CHARITABLE DONATION.

25 WITHOUT REGARD TO THE PROVISIONS OF SECTIONS 2, 3, 4 AND 5,  
26 ANY GARMENT WHICH REMAINS UNCLAIMED FOR A PERIOD OF ONE YEAR  
27 FROM THE READY DATE INDICATED ON THE GARMENT RECEIPT MAY BE  
28 DONATED BY THE CLEANER OR LAUNDERER TO ANY CHARITABLE, RELIGIOUS  
29 OR EDUCATIONAL ORGANIZATION OF A CLEANER'S OR LAUNDERER'S  
30 CHOICE, PROVIDED THE ORGANIZATION FALLS WITHIN THE DEFINITION OF

1 TAX-EXEMPT ORGANIZATION AS SPECIFIED IN SECTION 501(C)(3) OF THE  
2 INTERNAL REVENUE CODE OF 1954 (68A STAT. 3, 26 U.S.C. §  
3 501(C)(3)). THE DONATION SHALL BE MADE ONLY IF THE CLEANER OR  
4 LAUNDERER FIRST SENDS TO THE CUSTOMER, AT THE ADDRESS LISTED ON  
5 THE GARMENT RECEIPT, BY MAIL, POSTAGE PREPAID, INCLUDING A  
6 CERTIFICATE OF MAILING, A NOTICE THAT THE GARMENT WILL BE SO  
7 DISPOSED OF SUBSEQUENT TO 30 DAYS FROM THE MAILING DATE OF THE  
8 NOTICE IF THE GARMENT IS NOT CLAIMED AND ALL OUTSTANDING CHARGES  
9 PAID.

10 SECTION 7. PUBLIC NOTICE OF DISPOSAL PROCEDURES.

11 A CLEANER OR LAUNDERER SHALL PROMINENTLY DISPLAY AT EACH  
12 LOCATION WHERE GARMENTS ARE RECEIVED FROM THE PUBLIC A SIGN  
13 INDICATING THAT GARMENTS NOT CLAIMED WITHIN 90 DAYS OF THE READY  
14 DATE MAY BE DISPOSED OF BY THE CLEANER OR LAUNDERER, AFTER  
15 NOTICE TO THE CUSTOMER AS PROVIDED BY LAW.

16 SECTION 8. OTHER REMEDIES.

17 THE PROVISIONS OF THE ACT OF MAY 7, 1925 (P.L.557, NO.300),  
18 ENTITLED, "AN ACT TO PROVIDE FOR THE SALE OF PROPERTY AGAINST  
19 WHICH A COMMON LAW LIEN MAY EXIST FOR REPAIRS AND MATERIAL; AND  
20 THE METHOD OF PROCEDURE THEREON," SHALL CONTINUE TO BE AVAILABLE  
21 TO CLEANER AND LAUNDERER BAILEES OF PERSONAL PROPERTY AS  
22 HERETOFORE, AS SHALL ANY OTHER REMEDIES PROVIDED BY THE COMMON-  
23 LAW OR STATUTORY LAW OF THIS COMMONWEALTH, TO THE EXTENT THAT  
24 THEY ARE NOT INCONSISTENT WITH THE PROVISIONS OF THIS ACT.

25 Section 4 9. Effective date.

26 This act shall take effect in 60 days.

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