

SENATE BILL No. 571

June 10, 2003, Introduced by Senator LELAND and referred to the Committee on Appropriations.

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 1984 PA 209; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1060. (1) ~~The fees to be paid~~ **Subject to subsection**
 2 **(2), the fees a person shall pay** to the administrator ~~by or in~~
 3 ~~behalf of corporations,~~ for the purposes ~~specified~~ **described**
 4 in this section ~~, shall be~~ **are** as follows:

5 (a) Examining, filing, and copying of articles of **a domestic**
 6 ~~corporations~~ **corporation**, \$10.00.

7 (b) Examining and filing articles or ~~certificates~~
 8 **certificate** of incorporation, and other papers connected with the
 9 application of a foreign corporation for admission to conduct
 10 affairs in this state, \$10.00.

SENATE BILL No. 571

1 (c) Examining, filing, and copying an amendment to the
2 articles of a domestic corporation, \$10.00.

3 (d) Examining and filing an amendment to the articles of a
4 foreign corporation, \$10.00.

5 (e) Examining, filing, and copying a certificate of merger or
6 consolidation ~~as provided in~~ **under** chapter 7, \$50.00.

7 (f) Examining and filing a certificate of merger or
8 consolidation of a foreign corporation, ~~as provided in~~ **under**
9 section 1021, \$10.00.

10 (g) Examining, filing, and copying a certificate of
11 dissolution, \$10.00.

12 (h) Examining and filing **an** application for withdrawal and
13 issuance of a certificate of withdrawal of a foreign corporation,
14 \$10.00.

15 (i) Examining, filing, and copying **an** application for
16 reservation of corporate name, \$10.00.

17 (j) Examining, filing, and copying **a** certificate of assumed
18 name or certificate of termination of assumed name, \$10.00.

19 (k) Examining, filing, and copying **a** statement of change of
20 registered office or resident agent, \$5.00.

21 (l) Examining, filing, and copying restated articles of
22 domestic corporation, \$10.00.

23 (m) Examining, filing, and copying a certificate of
24 abandonment, \$10.00.

25 (n) Examining, filing, and copying **a** certificate of
26 correction, \$10.00.

27 (o) Examining, filing, and copying **a** certificate of

1 revocation of dissolution proceedings, \$10.00.

2 (p) Examining, filing, and copying a certificate of renewal
3 of corporate existence, \$10.00.

4 (q) Filing and examination of a special report required by
5 law, \$2.00.

6 (r) Examining and filing a certificate of election, \$10.00.

7 **(s) Filing a report required under section 911, \$10.00.**

8 **(2) The fee amounts set forth in subsection (1) apply until**
9 **September 30, 2003. Beginning October 1, 2003, the amount of**
10 **those fees paid to the administrator in any state fiscal year**
11 **shall be established by a fee schedule contained in an**
12 **appropriation act for that fiscal year.**

13 **(3) ~~(2) These fees shall be paid~~ A corporation shall pay**
14 **the applicable fee described in this section** to the administrator
15 at the time of filing or when the service is rendered by the
16 administrator. The fees ~~shall be~~ **described in this section are**
17 in addition to ~~the~~ **any** franchise fees prescribed in this act.

18 **(4) ~~(3)~~ A person shall pay a** minimum charge of \$1.00 for
19 each certificate and 50 cents per folio ~~shall be paid~~ to the
20 administrator for certifying a part of a file or record
21 pertaining to a corporation ~~for which provision for payment is~~
22 ~~not set forth~~ **if a fee for that service is not described in**
23 **subsection (1) or established pursuant to subsection (2).** The
24 administrator may furnish copies of documents, reports, and
25 papers required or permitted by law to be filed with the
26 administrator, and shall charge for those copies ~~pursuant to~~
27 **the fee established in a schedule of fees ~~which~~ adopted by the**

1 administrator ~~shall adopt~~ with the approval of the state
2 administrative board.

3 ~~(4) The fees received pursuant to this act shall be~~
4 ~~deposited in the state treasury to the credit of the department~~
5 ~~designated to administer this act to be used solely to defray the~~
6 ~~costs incurred in administration of this act.~~

7 (5) The administrator shall not refund all or any part of a
8 fee described in this section. The administrator shall deposit
9 all fees received and collected under this section in the state
10 treasury to the credit of the administrator, who may only use the
11 money credited pursuant to legislative appropriation and only in
12 carrying out those duties of the department required by law.

13 Enacting section 1. Section 915 of the nonprofit
14 corporation act, 1982 PA 162, MCL 450.2915, is repealed.