

HOUSE BILL No. 5322

October 18, 2005, Introduced by Reps. David Law, Huizenga, Vander Veen, Baxter, Wenke, Taub and Tobocman and referred to the Committee on Commerce.

A bill to amend 1972 PA 284, entitled
"Business corporation act,"
by amending section 131 (MCL 450.1131), as amended by 2001 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 131. (1) A document required or permitted to be filed
2 under this act shall be filed by delivering the document to the
3 administrator together with the fees and accompanying documents
4 required by law. The administrator may establish a procedure for
5 accepting delivery by facsimile or other electronic transmission.
6 If the document substantially conforms to the requirements of this
7 act, the administrator shall endorse upon it the word "filed" with
8 his or her official title and the date of receipt and of filing and
9 shall file and index the document or a photostatic, micrographic,
10 photographic, optical disc media, or other reproduced copy in his

1 or her office. If so requested at the time of the delivery of the
2 document to his or her office, the administrator shall include the
3 hour of filing in his or her endorsement. The administrator shall
4 prepare and return a true copy of the document other than an annual
5 report, or at his or her discretion the original, to the person who
6 submitted it for filing showing the filing date. The records and
7 files of the administrator relating to domestic and foreign
8 corporations shall be open to reasonable inspection by the public.
9 The records or files, at the discretion of the administrator, may
10 be maintained either in their original form or in photostatic,
11 micrographic, photographic, optical disc media, or other reproduced
12 form. The administrator may make reproductions of documents filed
13 under this act, or any predecessor act, by photostatic,
14 micrographic, photographic, optical disc media, or other reproduced
15 form and may destroy the originals of the documents so reproduced.

16 (2) A photostatic, micrographic, photographic, optical disc
17 media, or other reproduced copy certified by the administrator,
18 which may be sent by facsimile or other electronic transmission,
19 shall be considered an original for all purposes and is admissible
20 in evidence in like manner as an original.

21 ~~(3) The document is effective at the time it is endorsed~~ **WHEN**
22 **ENDORSED BY THE ADMINISTRATOR, A DOCUMENT BECOMES EFFECTIVE AS OF**
23 **THE DATE OF RECEIPT**, unless a subsequent effective ~~time~~ **DATE**, not
24 later than 90 days after the date of delivery, is set forth in the
25 document.