

SENATE BILL No. 667

June 29, 2005, Introduced by Senators JELINEK, STAMAS, KUIPERS, SIKKEMA, HAMMERSTROM, McMANUS, GARCIA, GEORGE, CASSIS, CROPSEY, ALLEN, BIRKHOLZ, BROWN, HARDIMAN and GOSCHKA and referred to the Committee on Commerce and Labor.

A bill to amend 1982 PA 213, entitled
"Michigan revised uniform limited partnership act,"
by amending section 206 (MCL 449.1206), as amended by 1992 PA 110.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 206. (1) A document **THAT A PERSON IS** required or
2 permitted to ~~be filed~~ **FILE** under this act shall be filed by
3 delivering the document to the administrator together with the fees
4 and accompanying documents required by law. A person who executes a
5 certificate as an attorney in fact, agent, or fiduciary ~~need not~~
6 ~~exhibit~~ **IS NOT REQUIRED TO PROVIDE** evidence of his or her
7 authority as a prerequisite to filing. **THE ADMINISTRATOR MAY**
8 **ESTABLISH A PROCEDURE FOR ACCEPTING DELIVERY OF A DOCUMENT FILED**
9 **UNDER THIS SUBSECTION BY FACSIMILE. BY FEBRUARY 1, 2006, THE**

1 ADMINISTRATOR SHALL ESTABLISH A PROCEDURE FOR ACCEPTING DELIVERY OF
2 A DOCUMENT FILED UNDER THIS SUBSECTION BY ELECTRONIC TRANSMISSION.
3 BEGINNING FEBRUARY 1, 2006, A PERSON MAY FILE A DOCUMENT UNDER THIS
4 SUBSECTION BY ELECTRONIC TRANSMISSION.

5 (2) If ~~the~~ A document FILED UNDER SUBSECTION (1)
6 substantially conforms to the requirements of this act, the
7 administrator shall endorse upon it the word "filed" with his or
8 her official title and the dates of receipt and of filing, and
9 shall file and index the document or a reproduction of the document
10 pursuant to the records media act in his or her office. If ~~so~~
11 requested at the time of the delivery of the document to his or her
12 office, the administrator shall include the hour of filing in his
13 or her endorsement on the document.

14 (3) The administrator shall prepare and return either a true
15 copy of ~~the~~ A document FILED UNDER SUBSECTION (1) or the
16 original, at his or her discretion, to the person who submitted it
17 for filing showing the filing date.

18 (4) The records and files of the administrator relating to
19 limited partnerships shall be open to reasonable inspection by the
20 public. The ADMINISTRATOR MAY MAINTAIN records or files ~~may, at~~
21 ~~the discretion of the administrator, be maintained~~ either in their
22 original form or in the form of reproductions pursuant to the
23 records ~~media~~ REPRODUCTION act, 1992 PA 116, MCL 24.401 TO
24 24.406.

25 (5) The administrator may make reproductions of ANY documents
26 filed under this act, or any predecessor act, pursuant to the
27 records ~~media~~ REPRODUCTION act, 1992 PA 116, MCL 24.401 TO

1 24.406, and may destroy the originals of the **REPRODUCED** documents.
2 ~~so reproduced.~~

3 (6) ~~—(2)—~~ The **A** document **FILED UNDER SUBSECTION (1)** is
4 effective at the time it is endorsed unless a subsequent effective
5 time, not later than 90 days after the date of delivery, is set
6 forth in the document.

7 (7) ~~—(3)—~~ The administrator may ~~—, at his or her discretion,~~
8 require that a **PERSON FILE A** document ~~—required or permitted to be~~
9 ~~filed under this act be~~ **DESCRIBED IN SUBSECTION (1)** on a form
10 prescribed by the administrator.