

HOUSE BILL No. 4866

May 29, 2007, Introduced by Rep. Johnson and referred to the Committee on Appropriations.

A bill to amend 1972 PA 284, entitled
"Business corporation act,"
by amending section 1060 (MCL 450.2060), as amended by 2003 PA 106.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1060. (1) ~~The~~**SUBJECT TO SUBSECTION (10), THE** fees a
2 person shall pay to the administrator when the documents described
3 in this subsection are delivered to him or her for filing are as
4 follows:

5 (a) Articles of a domestic corporation, \$10.00.

6 (b) Application of a foreign corporation for a certificate of
7 authority to transact business in this state, \$10.00.

8 (c) Amendment to the articles of a domestic corporation,
9 \$10.00.

1 (d) Amended application for a certificate of authority to
2 transact business in this state, \$10.00.

3 (e) Certificate of merger or share exchange under chapter 7,
4 \$50.00.

5 (f) Certificate attesting to the occurrence of a merger of a
6 foreign corporation under section 1021, \$10.00.

7 (g) Certificate of dissolution, \$10.00.

8 (h) Application for withdrawal and issuance of a certificate
9 of withdrawal of a foreign corporation, \$10.00.

10 (i) Application for reservation of corporate name, \$10.00.

11 (j) Certificate of assumed name or a certificate of
12 termination of assumed name, \$10.00.

13 (k) Statement of change of registered office or resident
14 agent, \$5.00.

15 (l) Restated articles of domestic corporations, \$10.00.

16 (m) Certificate of abandonment, \$10.00.

17 (n) Certificate of correction, \$10.00.

18 (o) Certificate of revocation of dissolution proceedings,
19 \$10.00.

20 (p) Certificate of renewal of corporate existence, \$10.00.

21 (q) For examining a special report required by law, \$2.00.

22 (r) Certificate of registration of corporate name of a foreign
23 corporation, \$50.00.

24 (s) Certificate of renewal of registration of corporate name
25 of a foreign corporation, \$50.00.

26 (t) Certificate of termination of registration of corporate
27 name of a foreign corporation, \$10.00.

1 (u) Report required under section 911, ~~\$15.00 if paid before~~
2 ~~October 1, 2003 or after September 30, 2007. After September 30,~~
3 ~~2003 and before October 1, 2007, the fee is \$25.00.~~

4 (2) The fees described in subsection (1) are in addition to
5 any franchise fees prescribed in this act. The administrator shall
6 not refund all or any part of a fee described in this section.

7 (3) Except as provided in subsection (9), the administrator
8 shall deposit all fees received and collected under this section in
9 the state treasury to the credit of the administrator, who may only
10 use the money credited pursuant to legislative appropriation and
11 only in carrying out those duties of the department required by
12 law.

13 (4) The fees described in this section apply to documents
14 filed by a domestic or foreign regulated investment company as
15 defined in section 1064.

16 (5) If any money received by the administrator from fees paid
17 under subsection (1)(u) is not appropriated to the department in
18 that fiscal year, the money remaining from those fees shall revert
19 to the general fund of this state.

20 (6) A minimum charge of \$1.00 for each certificate and 50
21 cents per folio shall be paid to the administrator for certifying a
22 part of a file or record pertaining to a corporation if a fee for
23 that service is not described in subsection (1). The administrator
24 may furnish copies of documents, reports, and papers required or
25 permitted by law to be filed with the administrator, and shall
26 charge for those copies the fee established in a schedule of fees
27 adopted by the administrator with the approval of the state

1 administrative board. The administrator shall retain the revenue
2 collected under this subsection, and the department shall use it to
3 defray the costs for its copying and certifying services.

4 (7) If a domestic or foreign corporation pays fees or
5 penalties by check and the check is dishonored, the fee is unpaid
6 and the administrator shall rescind the filing of all related
7 documents.

8 (8) The administrator may accept a credit card in lieu of cash
9 or check as payment of a fee under this act. The administrator
10 shall determine which credit cards he or she shall accept for
11 payment.

12 (9) The administrator may charge a nonrefundable fee of up to
13 \$50.00 for any document submitted or certificate sent by facsimile
14 or electronic transmission. The administrator shall retain the
15 revenue collected under this subsection and the department shall
16 use it to carry out its duties required by law.

17 **(10) THE ADMINISTRATOR MAY CHANGE THE AMOUNT OF ANY FEES**
18 **DESCRIBED IN THIS SECTION BY RULE PROMULGATED UNDER THE**
19 **ADMINISTRATIVE PROCEDURES ACT OF 1969, 1969 PA 306, MCL 24.201 TO**
20 **24.328. ANY FEE CHANGES BY THE ADMINISTRATOR UNDER THIS SUBSECTION**
21 **SHALL TAKE EFFECT ON THE EFFECTIVE DATE OF THE RULE.**