

# HOUSE BILL No. 5820

August 15, 2012, Introduced by Rep. Pscholka and referred to the Committee on Appropriations.

A bill to amend 1993 PA 23, entitled  
"Michigan limited liability company act,"  
by amending section 1101 (MCL 450.5101), as amended by 2007 PA 86.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1101. (1) The fees to be paid to the administrator when  
2 the documents described in this subsection are delivered to him or  
3 her for filing are as follows:

4           (a) Certificate of correction, \$25.00.

5           (b) Articles of organization, \$50.00.

6           (c) Amendment to the articles of organization, \$25.00.

7           (d) Restated articles of organization, \$50.00.

8           (e) Application for reservation of name, \$25.00.

9           (f) Certificate of assumed name or a certificate of  
10 termination of assumed name, \$25.00.

1 (g) Annual statement of resident agent and registered office,  
2 ~~\$15.00 if paid through September 30, 2003 and after September 30,~~  
3 ~~2012. Beginning October 1, 2003 through September 30, 2012, the fee~~  
4 ~~is \$25.00.~~

5 (h) Certificate of restoration of good standing, \$50.00.

6 (i) Notice of resignation of resident agent, or statement of  
7 change of registered office or resident agent, \$5.00.

8 (j) Certificate of merger as provided in article 7, \$100.00.

9 (k) Certificate of abandonment, \$10.00.

10 (l) Certificate of conversion, \$25.00.

11 (m) Certificate of dissolution, \$10.00.

12 (n) Application of a foreign limited liability company for a  
13 certificate of authority to transact business in this state,  
14 \$50.00.

15 (o) Certificate correcting statement contained in an  
16 application for a certificate of authority to transact business in  
17 this state, \$25.00.

18 (p) Certificate attesting to the occurrence of a merger of a  
19 foreign limited liability company, as provided in section 1005,  
20 \$10.00.

21 (q) Application for withdrawal and issuance of a certificate  
22 of withdrawal of a foreign limited liability company, \$10.00.

23 (2) In addition to a fee required to file a document, the  
24 administrator may charge a fee of \$50.00 if the document is filed  
25 by facsimile or other electronic transmission or the administrator  
26 is requested to transmit a document by facsimile or other  
27 electronic transmission.

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

7           (4) A minimum charge of \$1.00 for each certificate and 50  
8 cents per folio shall be paid to the administrator for certifying a  
9 part of a file or record pertaining to a domestic or foreign  
10 limited liability company if a fee is not set forth in subsection  
11 (1). The administrator may furnish copies of documents, reports,  
12 and papers required or permitted by law to be filed with the  
13 administrator, and shall charge for those copies pursuant to a  
14 schedule of fees that the administrator shall adopt with the  
15 approval of the state administrative board. The administrator shall  
16 retain the revenue collected under this subsection and use it to  
17 defray the costs of the department's copying and certifying  
18 services.

19           (5) If a domestic or foreign limited liability company pays  
20 fees or penalties by check and the check is dishonored, the fee is  
21 considered unpaid and the filing of all related documents will be  
22 rescinded.

23           (6) The administrator may accept payment by credit card,  
24 instead of cash or check, as payment of a fee under this act. The  
25 administrator shall determine which credit cards he or she shall  
26 accept for payment of a fee.