

HOUSE BILL No. 4397

March 25, 2015, Introduced by Reps. Darany and Santana 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 2012 PA 315.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1060. (1) The fees a person shall pay to the
2 administrator when the documents described in this subsection are
3 delivered to him or her for filing are as follows:

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

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

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

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

11 (e) Certificate of merger, conversion, or share exchange under

chapter 7, \$50.00.

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

(g) Certificate of dissolution, \$10.00.

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

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

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

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

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

(m) Certificate of abandonment, \$10.00.

(n) Certificate of correction, \$10.00.

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

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

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

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

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

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

(u) Report required under section 911, ~~\$15.00 if paid before October 1, 2003 or after September 30, 2015. After September 30, 2003 and before October 1, 2015, the fee is \$25.00.~~

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

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

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

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

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

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

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

9 (9) The administrator may charge a nonrefundable fee of up to
10 \$50.00 for any document submitted or certificate sent by facsimile
11 or electronic transmission. The administrator shall retain the
12 revenue collected under this subsection and the department shall
13 use it to carry out its duties required by law.

14 (10) The administrator shall waive any fee otherwise required
15 under this section if a majority of the shares of the domestic or
16 foreign corporation responsible for paying the fee are, and the
17 corporation provides proof satisfactory to the administrator that
18 those shares are, held by 1 or more honorably discharged veterans
19 of the armed forces of the United States.

20 Enacting section 1. This amendatory act takes effect October
21 1, 2015.