



Senate Fiscal Agency
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House Bill 5447 (as reported by the Committee of the Whole)
House Bill 5448 (Substitute S-2 as reported by the Committee of the Whole)
Sponsor: Representative Joe Tate (H.B. 5447)
Representative Pamela Hornberger (H.B. 5448)
House Committee: Education
Senate Committee: Education and Career Readiness

CONTENT

House Bill 5447 would amend Public Act 269 of 1929, which prohibits a person from assuming, adopting, or using the name of a benevolent, humane, fraternal, or charitable corporation, to prohibit a person, society, association, or corporation from assuming, adopting, or using the designation "historically black college or university" unless that entity was a Part B institution or an educational corporation reopened under Public 327 of 1931 (which House Bill 5448 would amend).

House Bill 5448 (S-2) would amend Public Act 327 of 1931, which governs various types of corporations, to do the following:

- Allow a private college to apply to the Department of Labor and Economic Opportunity (LEO) to reopen an educational corporation that had ceased operation if the college were located in a city with a population of at least 500,000 or more, and, before ceasing operations, was designated by the United States Department of Education as a historically black college.
- Require an application to reopen an educational corporation to include the information and attestations prescribed in the bill.
- Allow LEO to consider the proposed facilities, equipment, and staff of the educational corporation to be reopened when determining whether the educational corporation met the bill's requirements.
- Require LEO, within 30 days after receiving an application, to approve the educational corporation to be reopened to conduct business in Michigan.
- Require an officer who signed the attestation on behalf of the educational corporation to be reopened to be elected as an officer of the corporation before August 4, 2021, by at least one member of the board of the educational corporation who was a board member when the educational corporation had ceased operations.
- Specify that an educational corporation that received approval would be considered Michigan's first historical black college or university.

The bills are tie-barred.

MCL 430.51 (H.B. 5447)
450.171 (H.B. 5448)

Legislative Analyst: Dana Adams

FISCAL IMPACT

The bills would have no fiscal impact on State or local government. The Department's administrative costs would be minimal and within current appropriations.

Date Completed: 12-9-21

Fiscal Analyst: Josh Sefton

[floor/hb5447](#)

Bill Analysis @ www.senate.michigan.gov/sfa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.