

GRAIN DEALERS ACT (EXCERPT)
Act 141 of 1939

285.65 Revocation of license; application for new license; events; notice of event.

Sec. 5. (1) The department may revoke a grain dealer's license, but the grain dealer may apply for a new license, if any of the following events occur:

(a) The licensee is a party to a merger, consolidation, conversion, or similar transaction. The department may decide not to revoke the license if the successor to the licensee is licensed under this act and executes a successor's agreement acceptable to the department.

(b) Fifty percent or more of the shares, other than publicly traded shares, or other ownership interests in the licensee are sold, exchanged, or otherwise transferred. The department may decide not to revoke the license if the transferee is licensed under this act and executes a successor's agreement acceptable to the department.

(c) Fifty percent or more of the property and assets of the licensee are sold, leased, exchanged, or otherwise transferred. The department may waive this requirement if the transferee is licensed under this act and executes a successor's agreement acceptable to the department.

(d) The licensee ceases to pay its debts in the ordinary course of business, cannot pay its debts as they become due, or is insolvent under an applicable bankruptcy or insolvency law.

(e) If the grain dealer has 100 or more stockholders, members, partners, or owners, as applicable, more than 1/2 of the grain dealer's board of directors or other governing body or board are replaced with different individuals.

(f) The name of the grain dealer is changed.

(2) If an event described in subsection (1) occurs, the grain dealer shall file a notice of the event with the department within 1 business day of the event.

History: 1939, Act 141, Eff. Sept. 29, 1939;—CL 1948, 285.65;—Am. 1976, Act 259, Imd. Eff. Aug. 12, 1976;—Am. 1982, Act 33, Eff. Sept. 12, 1982;—Am. 1996, Act 311, Imd. Eff. June 24, 1996;—Am. 2002, Act 80, Eff. Mar. 31, 2003.

Compiler's note: Section 2 of Act 33 of 1982 provides: "This amendatory act shall take effect 6 months after it has been enacted into law and shall apply only to licenses issued or renewed after the effective date."