

CHARITABLE ORGANIZATIONS AND SOLICITATIONS ACT (EXCERPT)
Act 169 of 1975

***** 400.281.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 30, 2011 *****

400.281.amended Designation of resident agent; service of process.

Sec. 11. (1) The attorney general shall not accept a registration statement from a charitable organization located in another state or country unless it first designates a resident agent in this state for the acceptance of process issued by any court.

(2) A charitable organization, professional fund raiser, professional solicitor, or other person soliciting contributions in this state but not having an office in this state is subject to service of process as follows:

(a) By service on its registered agent in this state, or if there is no registered agent in this state, then on the person designated in the registration statement, license application, or registration application as having custody of its books and records within this state. If a person designated in a registration statement, license application, or registration application is served under this subdivision, a copy of the process shall be mailed to the charitable organization at its last known address.

(b) By service made as otherwise provided by law or court rules if any of the following apply:

(i) If the person has solicited contributions in this state, but in this state does not maintain an office, has a registered agent, and has a designated person that has custody of its books and records.

(ii) If a registered agent or person that has custody of the person's books and records in this state cannot be found, as shown by the return of the sheriff of the county in which the registered agent or person that has custody of books and records has been represented by the charitable organization as maintaining an office.

(3) Solicitation of a contribution in this state, by any means, is considered the agreement of the charitable organization, professional fund raiser, professional solicitor, or other person that any process against that person that is served in accordance with this section is of the same legal force and effect as if served personally.

History: 1975, Act 169, Imd. Eff. July 20, 1975;—Am. 2010, Act 377, Eff. Mar. 30, 2011.