

BUSINESS CORPORATION ACT (EXCERPT)
Act 284 of 1972

***** 450.1143.amended THIS AMENDED SECTION IS EFFECTIVE JUNE 24, 2018 *****

450.1143.amended Mailing notice or communication; delivery; electronic transmission; "address" defined; notice to corporation's resident agent.

Sec. 143. (1) If a notice or communication is required or permitted under this act to be given by mail, it shall be mailed, except as otherwise provided in this act, to the person to which it is directed at the address designated by the person for that purpose or, if none is designated, at the person's last known address. The notice or communication is given when deposited, with postage prepaid, in a post office or official depository under the exclusive care and custody of the United States Postal Service. Unless the corporation has securities registered under section 12 of title 1 of the securities exchange act of 1934, 15 USC 78l, the mailing shall be sent by registered, certified, or other first-class mail except unless otherwise required under this act.

(2) If a corporation is required or permitted to provide its shareholders with a written notice or other written report, statement, or communication under this act, the articles of incorporation, or the bylaws, the corporation may provide that notice, report, statement, or communication to all shareholders that share a common address by delivering 1 copy of it to the common address if all of the following are met:

(a) The corporation addresses the notice, report, statement, or communication to the shareholders that share the common address as a group, individually, or in any other form to which any of those shareholders have not objected.

(b) At least 60 days before the first delivery of any delivery to a common address under this subsection, the corporation gives notice to the shareholders that share that common address that it intends to provide only 1 copy of notices, reports, statements, or other communications to shareholders that share a common address.

(c) The corporation has not received a written objection from any shareholder that shares a common address to deliveries under this subsection to that shareholder. If it receives a written objection under this subdivision, the corporation within 30 days shall begin providing the objecting shareholder with separate copies of any notices, reports, statements, or communications to the shareholders, but the corporation may deliver 1 copy of the notices, reports, statements, or communications to all of the shareholders at that common address that have not objected.

(3) If a notice is required or permitted under this act to be given in writing, electronic transmission is written notice.

(4) If a notice or communication is permitted under this act to be transmitted electronically, the notice or communication is given when electronically transmitted to the person that is entitled to the notice or communication in a manner authorized by the person.

(5) As used in subsection (2), "address" means a street address, post office box, electronic mail address for electronic transmissions by electronic mail, or telephone facsimile number for electronic transmissions by facsimile.

(6) If the administrator is required under this act to give notice to the corporation, the administrator may electronically transmit the notice to the corporation's resident agent in the manner authorized by the corporation.

History: 1972, Act 284, Eff. Jan. 1, 1973;—Am. 2001, Act 57, Imd. Eff. July 23, 2001;—Am. 2006, Act 47, Imd. Eff. Mar. 9, 2006;—Am. 2018, Act 85, Eff. June 24, 2018.