

# HOUSE BILL No. 4517

March 22, 1989, Introduced by Reps. Stabenow, Van Regenmorter, Pitoniak, Gire, DeBeaussaert, DeMars, Varga, Camp and Munsell and referred to the Committee on Economic Development and Energy.

A bill to amend section 1 of Act No. 138 of the Public Acts of 1941, entitled

"An act to provide the terms and conditions upon which nonprofit cemetery associations, the charters of which have become void through operation of law, may be reinstated and the filing of delinquent reports and fees and a voidance of charter waived; and to direct the county clerk to furnish a written list to the Michigan corporation and securities commission of all nonprofit cemetery associations located within the counties,"

being section 450.471 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Section 1. Section 1 of Act No. 138 of the Public Acts of  
2 1941, being section 450.471 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4       Sec. 1. (1) The charter of a nonprofit cemetery association  
5 which has become void or shall become void before December 31,  
6 1974, under statutes of this state ~~—~~ requiring the filing of  
7 reports or the payment of fees, may be reinstated upon the

1 payment ~~before December 31, 1974~~ OF THE FEES DUE, upon the  
2 filing of a current year's report, and the payment of a penalty  
3 of \$10.00 to the department of treasury. Upon the filing of the  
4 report and payment of the penalty, the voidance of charter of the  
5 association and all delinquent reports and fees ~~shall be~~ ARE  
6 waived and the charter ~~thereof shall be~~ OF THE ASSOCIATION IS  
7 revived in full force and effect. Attached to the report shall  
8 be a certificate ~~, duly acknowledged before a notary public~~ by  
9 an officer of the cemetery association which desires to revive  
10 its charter ~~,~~ stating that the association has continued in  
11 existence since the date on which the charter was forfeited and  
12 setting forth the names of those who will serve as directors or  
13 trustees of the association upon the revival of its charter.

14 (2) If a nonprofit cemetery association has not ~~heretofore~~  
15 filed ~~in the office of~~ WITH the department of treasury its  
16 articles of association, THE DEPARTMENT OF TREASURY SHALL NOT  
17 ACCEPT THE ASSOCIATION'S CURRENT YEAR'S REPORT UNTIL a true copy  
18 of the articles, authenticated by the county clerk or other  
19 proper officer issuing the charter, ~~shall be~~ IS filed ~~in the~~  
20 ~~office of~~ WITH the department of treasury. ~~at the time of~~  
21 ~~filing the current year's report, as a condition precedent to~~  
22 ~~acceptance of the report by the department.~~