

# HOUSE BILL No. 5624

March 20, 1990, Introduced by Reps. O'Connor, Joe Young, Jr., Law, Weeks, Walberg, Runco, Brown, Nye, Camp, Emmons, Crandall; Power, Willis Bullard, Munsell, Muxlow, Giese, Sofio, London, Jaye, Rocca, Kulchitsky, Stopczynski, Clack and Murphy and referred to the Committee on State Affairs.

A bill to amend section 205 of Act No. 300 of the Public Acts of 1949, entitled as amended  
"Michigan vehicle code,"  
as amended by Act No. 398 of the Public Acts of 1980, being section 257.205 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 205 of Act No. 300 of the Public Acts of  
2 1949, as amended by Act No. 398 of the Public Acts of 1980, being  
3 section 257.205 of the Michigan Compiled Laws, is amended to read  
4 as follows:

5 Sec. 205. (1) The secretary of state shall maintain an  
6 office in the state capitol complex, and in other places in the  
7 state as the secretary of state considers necessary to carry out  
8 the powers and duties vested in the secretary of state SUBJECT TO  
9 SUBSECTION (2). At least 1 BRANCH office shall be established in

1 each county of the state and in each city of the state having a  
 2 population of 10,000 or more, but not within a radius of 5 miles  
 3 from a county office location. This subsection does not apply in  
 4 a county having a population of 300,000 or more ~~—nor~~ OR to  
 5 contiguous cities having a combined population of 10,000 or  
 6 more. ~~A person licensed under section 248, is not eligible for~~  
 7 ~~appointment to conduct, manage, or be an employee of a branch or~~  
 8 ~~fee office of the secretary of state.~~

9 (2) THE SECRETARY OF STATE MAY ESTABLISH 1 OR MORE BRANCH  
 10 OFFICES IN A RETAIL STORE OR SHOPPING MALL THAT MAKES SPACE  
 11 AVAILABLE FREE OF CHARGE. IN ESTABLISHING A BRANCH OFFICE UNDER  
 12 THIS SUBSECTION, THE SECRETARY OF STATE SHALL CONSIDER FACTORS  
 13 THAT INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

14 (A) THE LOCATION OF THE RETAIL STORE OR SHOPPING MALL.

15 (B) THE PROXIMITY OF THE PROPOSED BRANCH OFFICE TO AN EXIST-  
 16 ING BRANCH OFFICE.

17 (C) THE PRESENT POPULATION OF THE CITY OR TOWNSHIP WITHIN  
 18 WHICH THE PROPOSED BRANCH OFFICE WILL BE LOCATED AND THE LIKELI-  
 19 HOOD OF AN INCREASE IN POPULATION.

20 (3) ~~-(2)-A~~ THE SECRETARY OF STATE MAY REQUIRE A bond ~~may~~  
 21 ~~be required~~ of a person ~~in an~~ FOR A BRANCH office established  
 22 under ~~subsection (1)~~ SUBSECTIONS (1) AND (2) in an amount that  
 23 the secretary of state prescribes to cover the safe handling of  
 24 money received under this act. The secretary of state shall not  
 25 be held personally liable for a loss of money because of armed  
 26 robbery, larceny, embezzlement, riot, act of God, or other act of  
 27 a person resulting in a loss of money which is within the

1 is within the authority and responsibility of the secretary of  
2 state as the administrator of this act.

3       (4) ~~(3)~~ A person appointed to conduct a branch office  
4 shall receive compensation fixed by the secretary of state, and  
5 necessary expenses of the office. The compensation and expenses  
6 shall be paid out of the Michigan transportation fund and shall  
7 be deducted from the fund before the fund is certified to the  
8 state treasurer.

9       (5) A PERSON LICENSED UNDER SECTION 248 IS NOT ELIGIBLE FOR  
10 APPOINTMENT TO CONDUCT, MANAGE, OR BE AN EMPLOYEE OF A BRANCH  
11 OFFICE UNDER SUBSECTION (1) OR (2).