

SUBSTITUTE FOR
SENATE BILL NO. 570

A bill to amend 1972 PA 284, entitled
"Business corporation act,"
by amending section 1060 (MCL 450.2060), as amended by 2001 PA
57; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1060. (1) The fees ~~to be paid~~ **a person shall pay** to
2 the administrator when the documents described in this subsection
3 are delivered to him or her for filing are as follows:
- 4 (a) Articles of **a domestic** ~~corporations~~ **corporation**,
5 \$10.00.
- 6 (b) Application of a foreign corporation for a certificate of
7 authority to transact business in this state, \$10.00.
- 8 (c) Amendment to the articles of a domestic corporation,
9 \$10.00.
- 10 (d) Amended application for a certificate of authority to

1 transact business in this state, \$10.00.

2 (e) Certificate of merger or share exchange ~~as provided in~~
3 **under** chapter 7, \$50.00.

4 (f) Certificate attesting to the occurrence of a merger of a
5 foreign corporation ~~as provided in~~ **under** section 1021, \$10.00.

6 (g) Certificate of dissolution, \$10.00.

7 (h) Application for withdrawal and issuance of a certificate
8 of withdrawal of a foreign corporation, \$10.00.

9 (i) Application for reservation of corporate name, \$10.00.

10 (j) Certificate of assumed name or a certificate of
11 termination of assumed name, \$10.00.

12 (k) Statement of change of registered office or resident
13 agent, \$5.00.

14 (l) Restated articles of domestic corporations, \$10.00.

15 (m) Certificate of abandonment, \$10.00.

16 (n) Certificate of correction, \$10.00.

17 (o) Certificate of revocation of dissolution proceedings,
18 \$10.00.

19 (p) Certificate of renewal of corporate existence, \$10.00.

20 (q) For examining a special report required by law, \$2.00.

21 (r) Certificate of registration of corporate name of a
22 foreign corporation, \$50.00.

23 (s) Certificate of renewal of registration of corporate name
24 of a foreign corporation, \$50.00.

25 (t) Certificate of termination of registration of corporate
26 name of a foreign corporation, \$10.00.

27 (u) **Report required under section 911, \$15.00 if paid before**

1 October 1, 2003 or after September 30, 2007. After September 30,
2 2003 and before October 1, 2007, the fee is \$25.00.

3 (2) The fees ~~prescribed in subsection (1), no part of which~~
4 ~~shall be refunded, shall be~~ **described in subsection (1) are in**
5 addition to ~~the~~ **any** franchise fees prescribed in this act. ~~—~~
6 and shall, when collected, be paid into the treasury of the state
7 and credited to the administrator to be used solely by the
8 department in carrying out those duties required by law. ~~The~~
9 administrator shall not refund all or any part of a fee described
10 in this section.

11 (3) Except as provided in subsection (9), the administrator
12 shall deposit all fees received and collected under this section
13 in the state treasury to the credit of the administrator, who may
14 only use the money credited pursuant to legislative appropriation
15 and only in carrying out those duties of the department required
16 by law.

17 (4) ~~(3) Fees paid by or on behalf of~~ **The fees described in**
18 **this section apply to documents filed by a domestic** ~~and or~~
19 foreign regulated investment ~~companies~~ **company** as defined in
20 section 1064. ~~are the same as are charged foreign and domestic~~
21 ~~corporations for the purposes specified in this section.~~

22 ~~— (4) The fees received pursuant to section 915 shall be~~
23 ~~deposited in the state treasury to the credit of the~~
24 ~~administrator to be used by the department in carrying out those~~
25 ~~duties required by law. After the payment of the amounts~~
26 ~~appropriated by the legislature for the necessary expenses~~
27 ~~incurred in the administration of this act, the money remaining~~

1 ~~shall be credited to the general fund of the state.~~

2 **(5) If any money received by the administrator from fees paid**
3 **under subsection (1)(u) is not appropriated to the department in**
4 **that fiscal year, the money remaining from those fees shall**
5 **revert to the general fund of this state.**

6 **(6) ~~(5)~~** A minimum charge of \$1.00 for each certificate and
7 50 cents per folio shall be paid to the administrator for
8 certifying a part of a file or record pertaining to a corporation
9 ~~for which provision for payment is not set forth~~ **if a fee for**
10 **that service is not described** in subsection (1). The
11 administrator may furnish copies of documents, reports, and
12 papers required or permitted by law to be filed with the
13 administrator, and shall charge for those copies ~~pursuant to~~
14 **the fee established in** a schedule of fees ~~which~~ **adopted by** the
15 administrator ~~shall adopt~~ with the approval of the state
16 administrative board. The administrator shall retain the revenue
17 collected under this subsection, ~~to be used by the department~~
18 **and the department shall use it** to defray the costs for its
19 copying and certifying services.

20 **(7) ~~(6)~~** If a domestic or foreign corporation pays fees or
21 penalties by check and the check is dishonored, the fee is unpaid
22 and the **administrator shall rescind the** filing of all related
23 documents. ~~will be rescinded.~~

24 **(8) ~~(7)~~** The administrator may accept a credit card ~~—~~ in
25 lieu of cash or check ~~—~~ as payment of a fee under this act.
26 The administrator shall determine which credit cards ~~may be~~
27 ~~accepted~~ **he or she shall accept** for payment.

1 **(9)** ~~-(8)-~~ The administrator may charge a nonrefundable fee of
2 up to \$50.00 for any document submitted or certificate sent by
3 facsimile or electronic transmission. The administrator shall
4 retain the revenue collected under this ~~section~~ **subsection** and
5 ~~to be used by the department in carrying~~ **the department shall**
6 **use it to carry** out its duties required by law.

7 Enacting section 1. Section 915 of the business corporation
8 act, 1972 PA 284, MCL 450.1915, is repealed.