

Act No. 106
Public Acts of 2003
Approved by the Governor
July 24, 2003
Filed with the Secretary of State
July 24, 2003
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**STATE OF MICHIGAN
92ND LEGISLATURE
REGULAR SESSION OF 2003**

Introduced by Senator Emerson

ENROLLED SENATE BILL No. 570

AN ACT to amend 1972 PA 284, entitled "An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; and to repeal certain acts and parts of acts," 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:

Sec. 1060. (1) The fees a person shall pay to the administrator when the documents described in this subsection are delivered to him or her for filing are as follows:

- (a) Articles of a domestic corporation, \$10.00.
- (b) Application of a foreign corporation for a certificate of authority to transact business in this state, \$10.00.
- (c) Amendment to the articles of a domestic corporation, \$10.00.
- (d) Amended application for a certificate of authority to transact business in this state, \$10.00.
- (e) Certificate of merger or share exchange under chapter 7, \$50.00.
- (f) Certificate attesting to the occurrence of a merger of a foreign corporation under section 1021, \$10.00.
- (g) Certificate of dissolution, \$10.00.
- (h) Application for withdrawal and issuance of a certificate of withdrawal of a foreign corporation, \$10.00.
- (i) Application for reservation of corporate name, \$10.00.
- (j) Certificate of assumed name or a certificate of termination of assumed name, \$10.00.
- (k) Statement of change of registered office or resident agent, \$5.00.
- (l) Restated articles of domestic corporations, \$10.00.
- (m) Certificate of abandonment, \$10.00.
- (n) Certificate of correction, \$10.00.
- (o) Certificate of revocation of dissolution proceedings, \$10.00.
- (p) Certificate of renewal of corporate existence, \$10.00.
- (q) For examining a special report required by law, \$2.00.
- (r) Certificate of registration of corporate name of a foreign corporation, \$50.00.
- (s) Certificate of renewal of registration of corporate name of a foreign corporation, \$50.00.
- (t) Certificate of termination of registration of corporate name of a foreign corporation, \$10.00.

(u) Report required under section 911, \$15.00 if paid before October 1, 2003 or after September 30, 2007. After September 30, 2003 and before October 1, 2007, the fee is \$25.00.

(2) The fees described in subsection (1) are in addition to any franchise fees prescribed in this act. The administrator shall not refund all or any part of a fee described in this section.

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

(4) The fees described in this section apply to documents filed by a domestic or foreign regulated investment company as defined in section 1064.

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

(6) A minimum charge of \$1.00 for each certificate and 50 cents per folio shall be paid to the administrator for certifying a part of a file or record pertaining to a corporation if a fee for that service is not described in subsection (1). The administrator may furnish copies of documents, reports, and papers required or permitted by law to be filed with the administrator, and shall charge for those copies the fee established in a schedule of fees adopted by the administrator with the approval of the state administrative board. The administrator shall retain the revenue collected under this subsection, and the department shall use it to defray the costs for its copying and certifying services.

(7) If a domestic or foreign corporation pays fees or penalties by check and the check is dishonored, the fee is unpaid and the administrator shall rescind the filing of all related documents.

(8) The administrator may accept a credit card in lieu of cash or check as payment of a fee under this act. The administrator shall determine which credit cards he or she shall accept for payment.

(9) The administrator may charge a nonrefundable fee of up to \$50.00 for any document submitted or certificate sent by facsimile or electronic transmission. The administrator shall retain the revenue collected under this subsection and the department shall use it to carry out its duties required by law.

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

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor