

**SUBSTITUTE FOR
HOUSE BILL NO. 4997**

A bill to amend 1972 PA 284, entitled
"Business corporation act,"
by amending section 1060 (MCL 450.2060), as amended by 2019 PA 68.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1060. (1) When delivering a document described in this
2 subsection to the administrator for filing, a person shall pay the
3 administrator whichever of the following fees apply to that
4 document:

5 (a) Articles of a domestic corporation, \$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.

- 1 (d) Amended application for a certificate of authority to
2 transact business in this state, \$10.00.
- 3 (e) Certificate of merger, conversion, or share exchange under
4 chapter 7, \$50.00.
- 5 (f) Certificate attesting to the occurrence of a merger or
6 conversion of a foreign corporation under section 1021, \$10.00.
- 7 (g) Certificate of dissolution, \$10.00.
- 8 (h) Application for withdrawal and issuance of a certificate
9 of withdrawal of a foreign corporation, \$10.00.
- 10 (i) Application for reservation of corporate name, \$10.00.
- 11 (j) Certificate of assumed name or a certificate of
12 termination of assumed name, \$10.00.
- 13 (k) Statement of change of registered office or resident
14 agent, \$5.00.
- 15 (l) Restated articles of domestic corporations, \$10.00.
- 16 (m) Certificate of abandonment, \$10.00.
- 17 (n) Certificate of correction, \$10.00.
- 18 (o) Certificate of revocation of dissolution proceedings,
19 \$10.00.
- 20 (p) Certificate of renewal of corporate existence, \$10.00.
- 21 (q) For examining a special report required by law, \$2.00.
- 22 (r) Certificate of registration of corporate name of a foreign
23 corporation, \$50.00.
- 24 (s) Certificate of renewal of registration of corporate name
25 of a foreign corporation, \$50.00.
- 26 (t) Certificate of termination of registration of corporate
27 name of a foreign corporation, \$10.00.
- 28 (u) Report required under section 911, \$15.00 if paid after
29 September 30, 2023. ~~2027~~. Before October 1, 2023, ~~2027~~, the fee is

1 \$25.00.

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

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

11 (4) The fees described in this section apply to documents
12 filed by a domestic or foreign regulated investment company as **that**
13 **term is** defined in section 1064.

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

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

29 (7) If a domestic or foreign corporation pays fees or

1 penalties by check and the check is dishonored, or by credit card
2 and a chargeback is successful, the fee is unpaid and the
3 administrator shall rescind the filing of all related documents.

4 (8) The administrator may accept a credit card in lieu of cash
5 or check as payment of a fee under this act. The administrator
6 shall determine which credit cards ~~he or she shall accept~~ **the**
7 **administrator accepts** for payment.

8 (9) The administrator may charge a nonrefundable fee of ~~up to~~
9 **not more than** \$50.00 for any document submitted or certificate sent
10 by facsimile or electronic transmission. The administrator shall
11 retain the revenue collected under this subsection and the
12 department shall use it to carry out its duties required by law.

13 (10) The administrator shall waive any fee otherwise required
14 under this section if a majority of the shares of the domestic or
15 foreign corporation responsible for paying the fee are, and the
16 corporation provides proof satisfactory to the administrator that
17 those shares are, held by 1 or more honorably discharged veterans
18 of the Armed Forces of the United States.