

HOUSE BILL NO. 4978

September 13, 2023, Introduced by Reps. Roth, Outman and Schmaltz and referred to the Committee on Economic Development and Small Business.

A bill to amend 1982 PA 162, entitled
"Nonprofit corporation act,"
by amending section 123 (MCL 450.2123), as amended by 2014 PA 557.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 123. (1) Subject to subsection (3), unless otherwise
2 provided in, and to the extent not inconsistent with, the act under
3 which a corporation is or has been formed, this act applies to a
4 corporation that is or has been formed under an act other than this
5 act and not repealed by this act.

1 (2) A corporation described in subsection (1) includes, but is
2 not limited to, any of the following:

3 (a) A cooperative corporation classified as a nonprofit
4 corporation under section 98 of 1931 PA 327, MCL 450.98.

5 (b) A secret society or lodge.

6 (c) A trustee corporation that holds property for charitable,
7 religious, benevolent, educational, or other public benefit
8 purposes.

9 (d) A church trustee corporation.

10 (e) An educational corporation that is organized as a trustee
11 corporation or a nonprofit corporation.

12 (f) An ecclesiastical corporation.

13 (g) A public building corporation.

14 (h) A street railway under ~~the nonprofit street railway act,~~
15 **former 1867 PA 35 , MCL 472.1 to 472.27.** **or under part 5 of the**
16 **recodified tax increment financing act, 2018 PA 57, MCL 125.4503 to**
17 **125.4527.**

18 (i) **An association formed under 1889 PA 39, MCL 455.51 to**
19 **455.72, that has adopted bylaws that are consistent with section**
20 **231.**

21 (3) Except as provided in subsection (2) (h), this act does not
22 apply to insurance or surety companies, credit unions, savings and
23 loan associations, fraternal benefit societies, railroad, bridge,
24 or tunnel companies, union depot companies, or banking
25 corporations.

26 Enacting section 1. This amendatory act takes effect 90 days
27 after the date it is enacted into law.

28 Enacting section 2. This amendatory act does not take effect
29 unless Senate Bill No. ____ or House Bill No. 4977 (request no.

1 03195'23) of the 102nd Legislature is enacted into law.