

# SENATE BILL No. 1238

May 3, 2000, Introduced by Senators HAMMERSTROM, SHUGARS, ROGERS and MC COTTER and referred to the Committee on Economic Development, International Trade and Regulatory Affairs.

A bill to amend 1993 PA 23, entitled  
"Michigan limited liability company act,"  
by amending section 904 (MCL 450.4904), as amended by 1997 PA  
123.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 904. (1) Except as otherwise provided in this section  
2 or otherwise prohibited, a professional limited liability company  
3 may render 1 or more professional services, and each member and  
4 manager shall be a licensed person in 1 or more of the profes-  
5 sional services rendered by the company.

6       (2) If the professional limited liability company renders a  
7 professional service that is included within the public health  
8 code, 1978 PA 368, MCL 333.1101 to 333.25211, then all members  
9 and managers of the company shall be licensed or legally

1 authorized in this state to render the same professional  
2 service.

3       (3) A licensed person of another jurisdiction may become a  
4 member, manager, employee, or agent of the professional limited  
5 liability company, but shall not render any professional services  
6 in this state until the person is licensed or otherwise legally  
7 authorized to render the professional service in this state.

8       (4) A limited liability company may engage in the practice  
9 of architecture, professional engineering, or professional sur-  
10 veying in this state if not less than 2/3 of the members or man-  
11 agers of the limited liability company are licensed in this state  
12 to render 1 or more of the professional services offered. A pro-  
13 fessional limited liability company organized under this article  
14 may engage in the practice of architecture, professional engi-  
15 neering, or professional surveying in this state if all of the  
16 members and managers of the professional limited liability com-  
17 pany organized under this article are licensed in this state to  
18 render 1 or more of the professional services offered.

19       ~~-(5) A professional limited liability company organized~~  
20 ~~under this article may engage in the practice of public account-~~  
21 ~~ing in this state if not less than 2/3 of the equity and voting~~  
22 ~~rights of the professional limited liability company are held~~  
23 ~~directly or beneficially by individuals who are licensed in good~~  
24 ~~standing as certified public accountants of this or another state~~  
25 ~~or the equivalent in another licensing jurisdiction acceptable to~~  
26 ~~the board of accountancy. As used in this subsection, "board of~~

~~1 accountancy" means that board created in section 721 of the~~  
~~2 occupational code, 1980 PA 299, MCL 339.721.~~