

SENATE BILL No. 664

June 29, 2005, Introduced by Senators GEORGE, CASSIS, CROPSEY, ALLEN, BIRKHOLZ and GOSCHKA and referred to the Committee on Commerce and Labor.

A bill to amend 1972 PA 284, entitled
 "Business corporation act,"
 by amending section 131 (MCL 450.1131), as amended by 2001 PA 57.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 131. (1) A document **THAT A PERSON IS** required or
 2 permitted to ~~be filed~~ **FILE** under this act shall be filed by
 3 delivering the document to the administrator together with the fees
 4 and accompanying documents required by law. The administrator may
 5 establish a procedure for accepting delivery **OF A DOCUMENT FILED**
 6 **UNDER THIS SUBSECTION** by facsimile. ~~or other~~ **BY FEBRUARY 1, 2006,**
 7 **THE ADMINISTRATOR SHALL ESTABLISH A PROCEDURE FOR ACCEPTING**
 8 **DELIVERY OF A DOCUMENT FILED UNDER THIS SUBSECTION BY** electronic
 9 transmission. **BEGINNING FEBRUARY 1, 2006, A PERSON MAY FILE A**

1 **DOCUMENT UNDER THIS SUBSECTION BY ELECTRONIC TRANSMISSION.**

2 (2) If ~~the~~ A document **FILED UNDER SUBSECTION (1)**
3 substantially conforms to the requirements of this act, the
4 administrator shall endorse upon it the word "filed" with his or
5 her official title and the date of receipt and of filing and shall
6 file and index the document or a photostatic, micrographic,
7 photographic, optical disc media, or other reproduced copy in his
8 or her office. If ~~so~~ requested at the time of the delivery of the
9 document to his or her office, the administrator shall include the
10 hour of filing in his or her endorsement. The administrator shall
11 prepare and return a true copy of the document other than an annual
12 report, or at his or her discretion the original, to the person who
13 submitted it for filing showing the filing date.

14 (3) The records and files of the administrator relating to
15 domestic and foreign corporations shall be open to reasonable
16 inspection by the public. ~~The records or files, at the~~ **IN HIS OR**
17 **HER** discretion, ~~of~~ the administrator ~~, may be maintained~~ **MAY**
18 **MAINTAIN RECORDS OR FILES** either in their original form or in
19 photostatic, micrographic, photographic, optical disc media, or
20 other reproduced form.

21 (4) The administrator may make ~~reproductions of~~ **COPIES OF**
22 **ANY** documents filed under this act ~~,~~ or any predecessor act ~~,~~
23 by photostatic, micrographic, photographic, optical disc media, or
24 other reproduced form and may destroy the originals of the **COPIED**
25 documents. ~~so reproduced.~~ (2) A photostatic, micrographic,
26 photographic, optical disc media, or other reproduced copy
27 certified by the administrator, ~~which may be~~ **INCLUDING A COPY**

1 sent by facsimile or other electronic transmission, ~~shall be~~ **IS**
2 considered an original for all purposes and is admissible in
3 evidence in like manner as an original.

4 (5) ~~(3) The~~ **A** document **FILED UNDER SUBSECTION (1)** is
5 effective at the time it is endorsed unless a subsequent effective
6 time, not later than 90 days after the date of delivery, is set
7 forth in the document.