

SENATE BILL No. 666

June 29, 2005, Introduced by Senators SANBORN, CROPSEY, VAN WOERKOM, BISHOP, GILBERT, TOY, ALLEN, HARDIMAN, JELINEK, STAMAS, KUIPERS, SIKKEMA, HAMMERSTROM, McMANUS, GARCIA, GEORGE, CASSIS, BIRKHOLZ and GOSCHKA and referred to the Committee on Commerce and Labor.

A bill to amend 1982 PA 162, entitled
 "Nonprofit corporation act,"
 by amending section 131 (MCL 450.2131), as amended by 1992 PA 198.

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. BY FEBRUARY 1, 2006, THE**
 7 **ADMINISTRATOR SHALL ESTABLISH A PROCEDURE FOR ACCEPTING DELIVERY OF**
 8 **A DOCUMENT FILED UNDER THIS SUBSECTION BY ELECTRONIC TRANSMISSION.**
 9 **BEGINNING FEBRUARY 1, 2006, A PERSON MAY FILE A DOCUMENT UNDER THIS**

1 **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 the
5 administrator's official title and the dates of receipt and of
6 filing, and shall file and index the document or a reproduction of
7 the document pursuant to the records media act in the
8 administrator's office. If ~~so~~ requested at the time of the
9 delivery of the document to the administrator's office, the
10 administrator shall include the hour of filing in the endorsement
11 on the document. ~~The~~

12 (3) **AT HIS OR HER DISCRETION, THE** administrator shall prepare
13 and return **EITHER** a true copy ~~or, at the administrator's~~
14 ~~discretion,~~ **OF A DOCUMENT FILED UNDER SUBSECTION (1) OR** the
15 original of ~~a~~ **THE** document, other than an annual report, to the
16 person who submitted the document for filing. The administrator
17 shall mark the filing date on the true copy or original.

18 (4) The records and files of the administrator relating to
19 corporations shall be open to reasonable inspection by the public.
20 The **ADMINISTRATOR MAY MAINTAIN THE** records or files ~~may, at the~~
21 ~~discretion of the administrator, be maintained~~ either in their
22 original form or in the form of reproductions pursuant to the
23 records ~~media~~ **REPRODUCTION act, 1992 PA 116, MCL 24.401 TO**
24 **24.406.**

25 (5) The administrator may make reproductions of **ANY** documents
26 filed under this act, or any predecessor act, pursuant to the
27 records ~~media~~ **REPRODUCTION act, 1992 PA 116, MCL 24.401 TO**

1 24.406, and may destroy the originals of the **REPRODUCED** documents.
2 ~~reproduced.~~

3 (6) ~~—(2)—The~~ A document **FILED UNDER SUBSECTION (1)** is
4 effective at the time it is endorsed unless a subsequent effective
5 time, not later than 90 days after the date of delivery, is set
6 forth in the document.