

SUBSTITUTE FOR
SENATE BILL NO. 751

A bill to amend 1929 PA 137, entitled

"An act to authorize the formation of corporations by summer resort owners; to authorize the purchase, improvement, sale, and lease of lands; to authorize the exercise of certain police powers over the lands owned by said corporation and within its jurisdiction; to impose certain duties on the department of commerce; and to provide penalties for the violation of by-laws established under police powers,"

by amending section 19 (MCL 455.219).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 19. (1) The ~~corporation~~ **BOARD OF TRUSTEES** may ~~assess~~
2 **REQUIRE THAT THE MEMBERS OF A CORPORATION PAY** annual dues and
3 special assessments ~~against its members, by a vote of a majority~~
4 ~~thereof, for the purpose of carrying into effect any of the powers~~
5 ~~herein contained and may~~ **FOR ANY PURPOSE AUTHORIZED UNDER THIS**
6 **ACT. ALL OF THE FOLLOWING APPLY TO AN ASSESSMENT OF ANNUAL DUES OR**

1 A SPECIAL ASSESSMENT UNDER THIS SUBSECTION:

2 (A) THE APPROVAL OF THE MEMBERS UNDER SUBSECTION (2) IS
3 REQUIRED.

4 (B) WITH THE APPROVAL OF THE MEMBERS UNDER SUBSECTION (2), THE
5 BOARD OF TRUSTEES SHALL prescribe the time and manner of payment
6 and manner of collection ~~—, and in case of delinquencies,—~~ OF THE
7 ANNUAL DUES OR SPECIAL ASSESSMENT.

8 (C) WITH THE APPROVAL OF THE MEMBERS UNDER SUBSECTION (2), THE
9 BOARD OF TRUSTEES may provide that ~~—such—~~ DELINQUENT ANNUAL dues
10 ~~and~~ OR assessments shall become a lien upon the land of the
11 delinquent member and may provide the manner and method of
12 enforcing ~~—such—~~ THAT lien.

13 (2) UNLESS THE MEMBERS BY A VOTE OF A MAJORITY OF ALL OF THE
14 MEMBERS HAVE BY RESOLUTION SPECIFICALLY PROVIDED FOR APPROVAL BY A
15 MAJORITY OF THE VOTES CAST BY THE MEMBERS VOTING, THE VOTE OF A
16 MAJORITY OF ALL OF THE MEMBERS OF THE CORPORATION IS REQUIRED TO
17 APPROVE AN ACTION OF THE BOARD UNDER SUBSECTION (1).

18 Enacting section 1. It is the intent of the legislature to
19 reconcile conflicting opinions of the attorney general in the
20 interpretation of this act, and to ratify the opinion of the
21 attorney general in attorney general opinion no. 7164 of 2004,
22 concerning the appropriate vote of the members required to approve
23 an action of the board under section 19.