

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2021**

**Introduced by Reps. Tate, Hornberger, Posthumus, Meerman, Manoogian, Breen, Tyrone Carter,
Bolden, Rogers, Sowerby, Lasinski, Cavanagh, Scott and Stone**

ENROLLED HOUSE BILL No. 5447

AN ACT to amend 1929 PA 269, entitled “An act to protect benevolent, humane, fraternal or charitable corporations in the use of their names and emblems; to provide penalties for the violation thereof; and to repeal Act No. 255 of the Public Acts of 1909,” by amending section 1 (MCL 430.51).

The People of the State of Michigan enact:

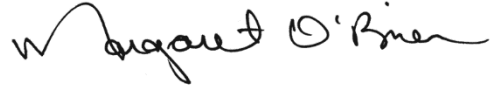
Sec. 1. (1) A person, society, association, or corporation shall not assume, adopt, or use the name of a benevolent, humane, fraternal, or charitable organization, including an educational corporation, incorporated under the laws of this or any other state, or of the United States, or a name so nearly resembling the name of the incorporated organization as to be a colorable imitation of the incorporated organization’s name, or calculated to deceive persons not members, with respect to the incorporated organization. If 2 or more societies, associations, or corporations claim the right to the same name, or to names that are substantially similar, the organization that was first organized and used the name, and first became incorporated under the laws of the United States or of any state of the United States, is entitled in this state to the prior and exclusive use of the name, and the rights of the societies, associations, or corporations, and of their individual members, shall be fixed and determined accordingly.

(2) A person, society, association, or corporation shall not assume, adopt, or use the designation “historically black college or university” unless the person, society, association, or corporation is a part B institution as that term is defined under 20 USC 1061, or an educational corporation that was reopened under section 171 of 1931 PA 327, MCL 450.171.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 5448 of the 101st Legislature is enacted into law.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor