

NONPROFIT CORPORATIONS
REPORT PREPARED FOR THE JUNE 5, 2024, COUNCIL MEETING
Jennifer Miller Oertel and Celeste Arduino, Co-Chairs

1. Next Scheduled Meeting of the Committee/Directorship.

The committee held a meeting in April. We had 17 members in attendance.

2. Council Approval.

N/A

3. Membership.

The Committee consistently seeks out new members and has added at least 4 new members since the last report. Assistant AG Brien Heckman now attends the meetings and provides important perspective on enforcement and current issues his office is seeing with nonprofit corporations.

The Co-Chairs mention Committee membership when encountering nonprofit practitioners in the field who are not involved.

Committee Co-Chairs provide updates to members periodically on new newsworthy developments in the law related to exempt organizations between meetings.

4. Accomplishments Toward Committee/Directorship Objectives.

In addition to updating members on significant developments in the law, Committee Co-Chairs respond to practice questions from members and judges.

5. Meetings and Programs.

N/A

6. Publications.

Committee members provided 3 articles for the Summer 2024 edition of the MBLJ. Committee Co-Chairs solicited membership for interest in submitting articles several times, but in the end, no one showed interest, and so all articles were provided by Bodman attorneys. We will work to get others to contribute to the next edition.

7. Methods of Monitoring Legislative/Judicial/Administrative Developments and Recommended Action

The Co-Chairs monitor publications that provide news of such developments and alert Committee members of significant developments. We most recently updated Committee members on the proposed DAF regulations and Corporate Transparency Act requirements as they apply to nonprofit corporations. At our previous meeting in November, we gave a lengthy overview of pending federal and state legislation, case law (*Fearless Fund*), and AG oversight actions and positions.

8. Miscellaneous.

The Committee keeps in communication with the Nonprofit Corporations Committee of the Probate Bar Section regarding potential updates to the MI Nonprofit Corporation Act and related statutes governing nonprofit and charitable corporations (UPMIFA, STCPA and COSA, among others).