



****Resident Agent Language - New for 2016 ****

Out-of-state firms: You must return this form with your 2016 renewal packet.

In-state firms: No action is needed.

The Michigan Fertilizer Law (MCL 324.8501 et seq) was updated last July by Public Act 118 of 2015. The updates include the addition of resident agent language, establishment of a fertilizer advisory committee, a research grant program and tonnage and water quality fee increases (beginning with the January-June 2016 report). More details will be in the tonnage report mailing.

Public Act 118 requires out-of-state firms to appoint a Michigan resident agent or "opt out" and not select a resident agent, instead paying all costs if there was an out-of-state audit. This new language allows Michigan Department of Agriculture and Rural Development (MDARD) to conduct or contract fertilizer tonnage audits to help maintain a level playing field.

Definition of a Resident Agent: someone who is appointed by the licensee to receive any documents, notices, or demands served upon the licensee. The resident agent must be a Michigan resident, a Michigan corporation, a foreign corporation with a certificate of authority to transact business in Michigan, a Michigan limited liability company or a foreign limited liability company authorized to transact business in this state.

Out-of-state firms must select one of the following:

My firm has a Michigan Resident Agent

Resident Agent Name _____

Address _____

Phone (_____) _____ Email _____

In lieu of a resident agent, my firm will maintain and make fertilizer records required by law available to MDARD and pay all costs incurred by MDARD in auditing the records if they are held at an out-of-state location.

Out-of-state firms MUST return this form with your 2016 renewal application.

For more information regarding the updates, please go to www.michigan.gov/mda-fertilizer