
DIGEST

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HB 395 Engrossed

2023 Regular Session

Hilferty

Abstract: Provides for the filings and form requirements of certain business entities.

Present law (R.S. 9:3403(A)(1)) provides that a partnership contract should contain certain requirements.

Proposed law retains present law and adds that a partnership contract must be written in English.

Present law (R.S. 12:1-120(H)) provides that certain documents must be either acknowledged by one person who signed or notarized.

Proposed law retains present law and adds Articles of charter surrender to the list of documents.

Present law (R.S. 12:307(B), 310, 311(A), and 1348(B)) provides that a foreign corporation must file with its application for amended certificate of authority a certificate issued by an authorized official which evidences the corporation's requested amendments.

Proposed law retains present law and provides the option for the business entity to provide a certified copy of the amendment in lieu of a certificate by an authorized official.

Present law (R.S. 12: 307.1 and 1349) requires a certificate of correction to be executed in the name of a foreign corporation or LLC by any authorized officer. Present law further requires a certificate of correction to specify the inaccuracy or defects to be corrected.

Proposed law retains present law and requires that a certificate of correction for a foreign corporation and LLC to be notarized or duly acknowledged by one person who signed.

Proposed law (R.S. 12:1306(G)) adds that a written notice or waiver of notice from the Louisiana State Board of Architectural Examiners must be provided before a company can be filed with the words "architect" or "architecture".

Proposed law makes technical changes.

(Amends R.S. 9:3403(A)(1) and R.S. 12: 307(B), 307.1, 310, 311(A)(intro. para.), 1348(B), and 1349(C); Adds R.S. 12:1-120(H)(16) and 1306(G))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.