

RÉSUMÉ DIGEST

ACT 26 (HB 395)

2023 Regular Session

Hilferty

Existing law (R.S. 9:3403(A)(1)) requires a partnership contract to contain certain requirements.

New law adds that a partnership contract must be written in English.

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

New law adds articles of charter surrender to the list of documents.

Existing law (R.S. 12:307(B), 310, 311(A)(intro. para.), 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.

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

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

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

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

Effective August 1, 2023.

(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))