

1-1 By: Cole (Senate Sponsor - Hancock) H.B. No. 3131
 1-2 (In the Senate - Received from the House May 10, 2021;
 1-3 May 11, 2021, read first time and referred to Committee on Business
 1-4 & Commerce; May 21, 2021, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 21, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Nichols			X	
1-9 Campbell	X			
1-10 Creighton	X			
1-11 Johnson	X			
1-12 Menéndez	X			
1-13 Paxton	X			
1-14 Schwertner			X	
1-15 Whitmire			X	

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the information required to be included in the
 1-20 certificate of formation of a filing entity.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 3.005(a), Business Organizations Code,
 1-23 is amended to read as follows:

1-24 (a) The certificate of formation must state:

1-25 (1) the name of the filing entity being formed;

1-26 (2) the type of filing entity being formed;

1-27 (3) for filing entities other than limited
 1-28 partnerships, the purpose or purposes for which the filing entity
 1-29 is formed, which may be stated to be or include any lawful purpose
 1-30 for that type of entity;

1-31 (4) for filing entities other than limited
 1-32 partnerships, the period of duration, if the entity is not formed to
 1-33 exist perpetually and is intended to have a specific period of
 1-34 duration;

1-35 (5) the street address of the initial registered
 1-36 office of the filing entity and the name of the initial registered
 1-37 agent of the filing entity at the office;

1-38 (6) the preferred mailing address of the filing
 1-39 entity;

1-40 (7) the name and address of each:

1-41 (A) organizer for the filing entity, unless the
 1-42 entity is formed under a plan of conversion or merger;

1-43 (B) general partner, if the filing entity is a
 1-44 limited partnership; or

1-45 (C) trust manager, if the filing entity is a real
 1-46 estate investment trust;

1-47 (8) [~~(7)~~] if the filing entity is formed under a plan
 1-48 of conversion or merger, a statement to that effect and, if formed
 1-49 under a plan of conversion, the name, address, date of formation,
 1-50 prior form of organization, and jurisdiction of formation of the
 1-51 converting entity; and

1-52 (9) [~~(8)~~] any other information required by this code
 1-53 to be included in the certificate of formation for the filing
 1-54 entity.

1-55 SECTION 2. The change in law made by this Act applies only
 1-56 to a certificate of formation filed on or after the effective date
 1-57 of this Act. A certificate of formation filed before the effective
 1-58 date of this Act is governed by the law in effect on the date on
 1-59 which the certificate of formation was filed, and the former law is
 1-60 continued in effect for that purpose.

1-61 SECTION 3. This Act takes effect September 1, 2021.

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