

By: Cortez

H.B. No. 1624

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the assumed name of a series limited liability company.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 71.002(2), Business & Commerce Code, is  
5 amended to read as follows:

6 (2) "Assumed name" means:

7 (A) for an individual, a name that does not  
8 include the surname of the individual;

9 (B) for a partnership, a name that does not  
10 include the surname or other legal name of each joint venturer or  
11 general partner;

12 (C) for an individual or a partnership, a name,  
13 including a surname, that suggests the existence of additional  
14 owners by including words such as "Company," "& Company," "& Son,"  
15 "& Sons," "& Associates," "Brothers," and similar words, but not  
16 words that merely describe the business being conducted or the  
17 professional service being rendered;

18 (D) for a limited partnership, a name other than  
19 the name stated in its certificate of formation;

20 (E) for a company, a name used by the company;

21 (F) for a corporation, a name other than the name  
22 stated in its certificate of formation or a comparable document;

23 (G) for a limited liability partnership, a name  
24 other than the name stated in its application filed with the office

1 of the secretary of state or a comparable document; and

2 (H) for a limited liability company, a name other  
3 than the name stated in its certificate of formation or a comparable  
4 document, including the name of any series of the limited liability  
5 company established by its company agreement.

6 SECTION 2. This Act takes effect September 1, 2013.