

By: Carona

S.B. No. 699

A BILL TO BE ENTITLED

AN ACT

relating to the contents of an assumed name certificate filed by certain businesses or professionals.

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

SECTION 1. Section 71.102, Business & Commerce Code, is amended to read as follows:

Sec. 71.102. CONTENTS OF CERTIFICATE. The certificate must state:

(1) the assumed name under which the business is or is to be conducted or the professional service is or is to be rendered;

(2) the registrant's name as stated in the registrant's certificate of formation or application filed with the office of the secretary of state or other comparable document;

(3) the state, country, or other jurisdiction under the laws of which the registrant was incorporated or organized [~~and the registrant's registered or similar office address in that state, country, or jurisdiction~~];

(4) the period, not to exceed 10 years, during which the registrant will use the assumed name;

(5) a statement specifying that the registrant is:

(A) a for-profit corporation, nonprofit corporation, professional corporation, professional association, or other type of corporation;

(B) a limited partnership, limited liability

1 partnership, or limited liability company; or

2 (C) another type of incorporated business,
3 professional or other association, or legal entity, foreign or
4 domestic;

5 (6) the street or mailing address of[+]

6 [~~(A)~~] the registrant's principal office in this
7 state or outside this state, as applicable[+ ~~or~~

8 [~~(B) if the registrant is not required to or does~~
9 ~~not maintain a registered office in this state:~~

10 [~~(i) the registrant's office in this state,~~
11 ~~and~~

12 [~~(ii) the registrant's place of business in~~
13 ~~this state and any office of the registrant outside this state, if~~
14 ~~the registrant is not incorporated or organized under the laws of~~
15 ~~this state]; and~~

16 (7) the county or counties in this state where the
17 registrant is or will be conducting business or rendering
18 professional services under the assumed name.

19 SECTION 2. The change in law made by this Act applies only
20 to a certificate filed on or after the effective date of this Act.

21 SECTION 3. This Act takes effect September 1, 2013.