

2016 Regular Session

HOUSE BILL NO. 806

BY REPRESENTATIVE ABRAMSON

COMMERCIAL REGULATIONS: Provides relative to the dissolution of limited liability companies

1 AN ACT

2 To amend and reenact R.S. 12:1335.1(A), relative to the dissolution by affidavit of a limited
3 liability company; to provide for such dissolution if the limited liability company
4 does not own immovable property; to provide for an effective date; and to provide
5 for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 12:1335.1(A) is hereby amended and reenacted to read as follows:

8 §1335.1. Dissolution by affidavit

9 A. In addition to all other methods of dissolution, if a limited liability
10 company is no longer doing business, ~~and~~ owes no debts, and owns no immovable
11 property, it may be dissolved by filing an affidavit with the secretary of state
12 executed by the members or by the organizer, if no membership interests have been
13 issued, attesting to such facts and requesting that the limited liability company be
14 dissolved. Thereafter, the members, or the organizer if no membership interests have
15 been issued, shall be personally liable for any debts or other claims against the
16 limited liability company in proportion to their ownership interest in the company.

17 * * *

18 Section 2. This Act shall become effective on February 1, 2017.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 806 Engrossed

2016 Regular Session

Abramson

Abstract: Authorizes the dissolution by affidavit of a limited liability company that owns no immovable property.

Present law authorizes a limited liability company's dissolution by affidavit if the limited liability company is no longer doing business and owes no debts. Proposed law retains present law.

Proposed law further authorizes a limited liability company to dissolve by affidavit if the limited liability company does not own immovable property.

Effective Feb. 1, 2017.

(Amends R.S. 12:1335.1(A))

Summary of Amendments Adopted by House

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

1. Provide for the Act to become effective on Feb. 1, 2017.