

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 239

By: Daniels

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5
6 AS INTRODUCED

7 An Act relating to limited partnerships; amending 54
8 O.S. 2011, Sections 500-206A and 500-210A, which
9 relate to filing fees and annual certificates;
10 decreasing certain fee; modifying form of certain
11 notice; updating statutory references; and providing
12 an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 54 O.S. 2011, Section 500-206A, is
15 amended to read as follows:

16 Section 500-206A. DELIVERY TO AND FILING OF RECORDS BY
17 SECRETARY OF STATE; EFFECTIVE TIME AND DATE; FEES.

18 (a) A record authorized or required to be delivered to the
19 Secretary of State for filing under the Uniform Limited Partnership
20 Act of 2010 must be captioned to describe the record's purpose, be
21 in a medium permitted by the Secretary of State, and be delivered to
22 the Secretary of State. Unless the Secretary of State determines
23 that a record does not comply with the filing requirements of the
24 Uniform Limited Partnership Act of 2010, and if all filing fees have
been paid, the Secretary of State shall file the record and provide

1 a filed stamped copy of the record to the person filing the record
2 or the person's representative.

3 (b) Except as otherwise provided in Sections ~~16 and 25~~ of 500-
4 116A and 500-207A this ~~act~~ title, a record delivered to the
5 Secretary of State for filing under the Uniform Limited Partnership
6 Act of 2010 may specify an effective time and a delayed effective
7 date. Except as otherwise provided in the Uniform Limited
8 Partnership Act of 2010, a record filed by the Secretary of State is
9 effective:

10 (1) if the record does not specify an effective time and does
11 not specify a delayed effective date, on the date and at the time
12 the record is filed as evidenced by the Secretary of State's
13 endorsement of the date and time on the record;

14 (2) if the record specifies an effective time but not a delayed
15 effective date, on the date the record is filed at the time
16 specified in the record;

17 (3) if the record specifies a delayed effective date but not an
18 effective time, at 12:01 a.m. on the earlier of:

19 (A) the specified date; or

20 (B) the ninetieth day after the record is filed; or

21 (4) if the record specifies an effective time and a delayed
22 effective date, at the specified time on the earlier of:

23 (A) the specified date; or

24 (B) the ninetieth day after the record is filed.

1 (c) The following fees shall be paid to the Secretary of State:

2 (1) for filing a certificate of limited partnership, a fee of
3 One Hundred Dollars (\$100.00);

4 (2) for filing an amendment to a certificate of limited
5 partnership or a statement of cessation, a fee of Fifty Dollars
6 (\$50.00);

7 (3) for filing articles of merger or conversion, a fee of One
8 Hundred Dollars (\$100.00);

9 (4) for filing a statement of change of a designated office,
10 agent for service of process, or the address of an agent for service
11 of process or a statement of resignation of registered agent, a fee
12 of Twenty-five Dollars (\$25.00);

13 (5) for filing a name reservation or notice of transfer, a fee
14 of Ten Dollars (\$10.00);

15 (6) for filing an application for certificate of authority, a
16 fee of Three Hundred Dollars (\$300.00);

17 (7) for filing an amendment to or notice of cancellation of a
18 certificate of authority, a fee of One Hundred Dollars (\$100.00);

19 (8) for filing an annual certificate, a fee of ~~Fifty Dollars~~
20 ~~(\$50.00)~~ Twenty-five Dollars (\$25.00);

21 (9) for issuing certificates of good standing, a fee of Twenty
22 Dollars (\$20.00);

23 (10) for acting as registered agent, a fee of One Hundred
24 Dollars (\$100.00) which is payable on July 1 of each year to the

1 Secretary of State for deposit into the General Revenue Fund of the
2 State Treasury; and

3 (11) for filing of any other certificate, statement, notice or
4 other document for which a fee is not otherwise specified under the
5 Uniform Limited Partnership Act of 2010, a fee of Fifty Dollars
6 (\$50.00).

7 SECTION 2. AMENDATORY 54 O.S. 2011, Section 500-210A, is
8 amended to read as follows:

9 Section 500-210A. ANNUAL CERTIFICATE FOR SECRETARY OF STATE.

10 (a) A limited partnership or a foreign limited partnership
11 authorized to transact business in this state shall deliver to the
12 Secretary of State for filing an annual certificate that states:

13 (1) the name of the limited partnership or foreign limited
14 partnership;

15 (2) the street and mailing address of its designated office and
16 the name and street and mailing address of its agent for service of
17 process in this state; and

18 (3) in the case of a foreign limited partnership, the state or
19 other jurisdiction under whose law the foreign limited partnership
20 is formed and any fictitious name adopted under subsection (a) of
21 Section ~~79~~ 500-905A of this ~~act~~ title.

22 (b) Information in an annual certificate must be current as of
23 the date the annual certificate is delivered to the Secretary of
24 State for filing.

1 (c) The annual certificate is due on the anniversary date of
2 the filing of the certificate of limited partnership or certificate
3 of authority of a foreign limited partnership until cancellation of
4 the certificate of limited partnership or certificate of authority.

5 (d) The Secretary of State shall, at least sixty (60) days
6 before the anniversary date of each year, cause ~~to be mailed~~ a
7 notice of the annual certificate to be sent to each domestic limited
8 partnership and each foreign limited partnership required to comply
9 with the provisions of this section to the last known ~~office~~
10 electronic mail address of record with the Secretary of State.

11 SECTION 3. This act shall become effective November 1, 2017.

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