

January 31, 2011

PROPOSED AMENDMENTS TO SENATE BILL NO. 2174

Page 1, line 2, after the second comma insert "and"

Page 1, line 2, replace the second "and" with a comma

Page 1, line 2, after the third comma insert "and"

Page 1, remove line 3

Page 1, line 4, remove "10-33-142, subsection 3 to section 45-10.2-112, section"

Page 1, line 4, remove ", and subsection 3 to section"

Page 1, line 5, remove "45-22-24"

Page 1, line 13, replace the first "section" with "sections"

Page 1, line 13, after "10-19.1-147" insert "and 10-19.1-149"

Page 1, line 17, after the first comma insert "section 10-32-153,"

Page 1, line 23, after "sections" insert "10-33-142,"

Page 1, line 24, after the first comma insert "section 45-10.2-112,"

Page 1, line 24, after the fourth comma insert "45-22-24,"

Page 4, line 27, replace the third "of" with "or"

Page 7, line 4, replace "10-15-52.6" with "10-15-52.5"

Page 9, line 6, replace "must" with "may"

Page 9, line 11, replace "must" with "may"

Page 9, line 21, replace "10-19.1-57" with "10-19.1-52"

Page 14, line 19, remove "subsection 1 of"

Page 19, line 23, after "principal" insert "executive"

Page 21, line 30, after "maintain" insert "both"

Page 21, line 30, replace "or" with "and"

Page 24, replace lines 17 through 21 with:

"SECTION 24. AMENDMENT. Section 10-19.1-149 of the North Dakota Century Code is amended and reenacted as follows:

10-19.1-149. Secretary of state - Certificates and certified copies to be received in evidence.

1. All certificates issued by the secretary of state and all copies of records filed in accordance with this chapter, when certified by the secretary of

state, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima facie~~ evidence of the facts stated.

2. A certificate by the secretary of state under the great seal of this state, as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing records or certificates, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima facie~~ evidence of the existence or nonexistence of the facts stated.
3. Any certificate or certified copy issued by the secretary of state under this section may be created and disseminated as an electronic record with the same force and effect as if produced in a paper form."

Page 38, line 2, remove "subsection 1 of"

Page 43, line 13, overstrike "a corporation" and insert immediately thereafter "an organization"

Page 43, line 13, overstrike "shares" and insert immediately thereafter "ownership interests"

Page 47, replace lines 16 through 20 with:

"SECTION 39. AMENDMENT. Section 10-32-153 of the North Dakota Century Code is amended and reenacted as follows:

10-32-153. Secretary of state - Certificates and certified copies to be received in evidence.

1. All certificates issued by the secretary of state and all copies of records filed in accordance with this chapter, when certified by the secretary of state, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima facie~~ evidence of the facts therein stated.
2. A certificate by the secretary of state under the great seal of this state, as to the existence or nonexistence of the facts relating to limited liability companies which would not appear from a certified copy of any of the foregoing records or certificates, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima facie~~ evidence of the existence or nonexistence of the facts stated therein.
3. Any certificate or certified copy issued by the secretary of state under this section may be created and disseminated as an electronic record with the same force and effect as if produced in a paper form."

Page 54, line 13, remove "subsection 1 of"

Page 58, line 27, replace the second "the" with "any"

Page 67, remove lines 30 and 31

Page 68, replace lines 1 through 3 with:

"SECTION 61. AMENDMENT. Section 10-33-142 of the North Dakota Century Code is amended and reenacted as follows:

10-33-142. Secretary of state - Evidence.

1. All certificates issued by the secretary of state and all copies of records filed in accordance with this chapter, when certified by the secretary of state, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima-facie~~ evidence of the facts stated.
2. A certificate by the secretary of state under the great seal of this state, as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing records or certificates, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima-facie~~ evidence of the existence or nonexistence of the facts stated.
3. Any certificate or certified copy issued by the secretary of state under this section may be created and disseminated as an electronic record with the same force and effect as if produced in a paper form."

Page 71, line 14, replace "1" with "3"

Page 71, line 14, replace "45-10.2-23" with "45-10.2-27"

Page 74, replace lines 24 through 28 with:

"SECTION 67. AMENDMENT. Section 45-10.2-112 of the North Dakota Century Code is amended and reenacted as follows:

45-10.2-112. Secretary of state - Certificates and certified copies to be received in evidence.

1. All copies of records filed in accordance with this chapter, when certified by the secretary of state, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima-facie~~ evidence of the facts stated.
2. A certificate by the secretary of state under the great seal of this state, as to the existence or nonexistence of the facts relating to limited partnerships or foreign limited partnerships which would not appear from a certified copy of any of the foregoing records or certificates, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima-facie~~ evidence of the existence or nonexistence of the facts stated.
3. Any certificate or certified copy issued by the secretary of state under this section may be created and disseminated as an electronic record with the same force and effect as if produced in a paper form."

Page 80, line 5, replace "1" with "9"

Page 81, replace lines 20 through 24 with:

"SECTION 72. AMENDMENT. Section 45-22-24 of the North Dakota Century Code is amended and reenacted as follows:

45-22-24. Certificates and certified copies to be received in evidence.

1. All copies of documents filed in accordance with this chapter, when certified by the secretary of state, ~~must~~may be taken and received in all

courts, public offices, and official bodies as ~~prima facie~~ evidence of the facts stated.

2. A certificate by the secretary of state under the great seal of this state, as to the existence or nonexistence of the facts relating to domestic limited liability partnerships or foreign limited liability partnerships which would not appear from a certified copy of any of the foregoing documents or certificates, ~~must~~may be taken and received in all courts, public offices, and official bodies as ~~prima facie~~ evidence of the existence or nonexistence of the facts stated.
3. Any certificate or certified copy issued by the secretary of state under this section may be created and disseminated as an electronic record with the same force and effect as if produced in a paper form."

Renumber accordingly