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SENATE STATE AND LOCAL GOVERNMENT COMMITTEE
SENATOR KRISTIN ROERS, CHAIRMAN

HOUSE BILL NO. 1084
MARCH 2, 2023

TESTIMONY PRESENTED BY

BARBARA SIEGEL, OFFICE OF SECRETARY OF STATE

Chairman Roers and members of the Senate State and Local Government Committee, I am Barbara Siegel with the Secretary of State's office and the former Director of Business Services. I am here in support of House Bill 1084 which promotes consistency with requirements of many other filings received by our office.

The amendment in **Section 1** (page 1, line 11) is consistent with changes made last session (SB 2210) to ensure farm and ranch entities created in another state that want to register in North Dakota are appropriately addressed in North Dakota Century Code ch. 10-06.1. Specifically, this change would ensure that foreign (out-of-state) farm/ranch limited liability companies are required to comply with limited liability laws in NDCC ch. 10-32.1 when appropriate, as do domestic (in-state) entities.

The remaining sections would require a form prescribed by the Secretary of State be used when a foreign entity applies for a certificate of authority to transact business in North Dakota, seeks to amend a certificate of authority, or withdraws a certificate of authority.

Currently, a prescribed form is required for all annual reports, and for all filings relating to fictitious partnership names, trade names, trademarks, and registered agent changes. The forms are available through FirstStop, the Secretary of State's online business and licensing system.

- **Section 2** (page 1, line 19), **Section 3** (page 2, lines 20 – 21), and **Section 4** (page 3, line 10) apply to foreign business, professional, and farm/ranch corporation certificate of authority applications, amendments, and withdrawals.
- **Section 5** (page 3, line 27), **Section 6** (page 4, line 8), and **Section 7** (page 4, lines 17 – 18) apply to foreign business, professional, and farm/ranch limited liability company certificate of authority applications, amendments, and withdrawals.
- **Section 8** (page 5, line 3), **Section 9** (page 5, lines 13 – 14), and **Section 10** (page 6, line 2) apply to foreign nonprofit corporations and limited liability company certificate of authority applications, amendments, and withdrawals.

Completing the form on FirstStop provides many benefits to customers including more accurate completion of filings; faster processing time; real-time status updates of filings; simplification of future filings for that entity; and online access at any time to certificates, receipts, and filings. Once the form has been completed on FirstStop, it may either be printed and mailed, or submitted online for processing.

I request your support of HB 1084 and would be happy to take any questions.