

14A.2-100 Filing duty of Secretary of State. (Effective January 1, 2011)

- (1) If a document delivered to the office of the Secretary of State for filing satisfies the requirements of this chapter and applicable organic law, the Secretary of State shall file it.
- (2) The Secretary of State files a document by recording it as filed as provided in KRS 14A.2-070(1)(a).
- (3) After filing a document, the Secretary of State shall deliver to the entity or foreign entity or to the person delivering the document for filing or to another person as identified in writing a copy of the document with an acknowledgment of the time and date of filing.
- (4) If the Secretary of State refuses to file a document, the Secretary of State shall return it to the filer within five (5) days after the document was delivered, together with a brief, written explanation of the reason for the refusal.
- (5) The Secretary of State's delivery of an acknowledgment of filing, an explanation for the reason a document was not filed, or other communication as to a document filed or delivered for filing may be accomplished electronically.
- (6) The Secretary of State's duty to file documents under this section shall be ministerial. The filing or refusal to file a document shall not:
 - (a) Affect the validity or invalidity of the document in whole or part;
 - (b) Relate to the correctness or incorrectness of information contained in the document; or
 - (c) Create a presumption that the document is valid or invalid or that information contained in the document is correct or incorrect.

Effective: January 1, 2011

History: Created 2010 Ky. Acts ch. 151, sec. 17, effective January 1, 2011.