

**14A.6-010 Annual report. (Effective January 1, 2011)**

- (1) Each entity and each foreign entity authorized to transact business in this Commonwealth shall deliver to the Secretary of State for filing an annual report that sets forth:
  - (a) The name of the entity or foreign entity and the state or country under whose law it is organized;
  - (b) The address of its registered office and the name of its registered agent at that office in this Commonwealth;
  - (c) The address of its principal office; and
  - (d) With respect to each:
    1. Corporation, not-for-profit corporation, cooperative, or association, whether domestic or foreign:
      - a. The name and business address of the secretary or other officer with responsibility for authenticating the records of the entity;
      - b. The name and business of each other principal officer; and
      - c. The name and business of each director;
    2. Manager-managed limited liability company, whether domestic or foreign, the name and business address of each manager;
    3. Limited partnership, whether domestic or foreign, the name and business address of each general partner;
    4. Business trust, whether domestic or foreign, the name and business address of each trustee; and
    5. Professional service corporation, domestic or foreign, a statement that each of the shareholders, not less than one-half (1/2) of the directors, and each of the officers other than secretary and treasurer is a qualified person.
- (2) A professional service corporation formed under the provisions of this chapter, except as this chapter may otherwise provide, shall have the same powers, authority, duties, and liabilities as a corporation formed under KRS Chapter 271B.
- (3) Information in the annual report shall be current as of the date the annual report is executed on behalf of the entity or foreign entity.
- (4) The first annual report shall be delivered to the Secretary of State between January 1 and June 30 of the year following the calendar year in which an entity was organized or a foreign entity was authorized to transact business in this state. Subsequent annual reports shall be delivered to the Secretary of State between January 1 and June 30 of each following calendar year.
- (5) If an annual report does not contain the information required by this section, the Secretary of State shall promptly notify the entity or foreign entity in writing and return the report to it for correction, which notification may be accomplished electronically. For purposes of KRS 14A.2-130 or 14A.2-140, an annual report

returned for correction shall not be deemed to have been delivered until it is returned and accepted by the Secretary of State.

- (6) An entity or foreign entity may amend the information in its last filed annual report by delivery of an amendment to the annual report to the Secretary of State for filing on such form as is provided by the Secretary of State.
- (7) The requirement to file an annual report shall not apply to:
  - (a) A limited partnership governed as to its internal affairs by the Kentucky Uniform Limited Partnership Act as it existed prior to its repeal by 1988 Ky. Acts ch. 284, sec. 65;
  - (b) A partnership other than a limited liability partnership that has filed a statement of qualification pursuant to KRS 362.1-1102 or a foreign limited liability partnership; or
  - (c) A foreign rural electric cooperative or foreign rural telephone cooperative not required to qualify to transact business by a filing with the Secretary of State.

**Effective:** January 1, 2011

**History:** Created 2010 Ky. Acts ch. 151, sec. 34, effective January 1, 2011.