

14A.9-030 Application for certificate of authority. (Effective January 1, 2011)

- (1) A foreign entity may apply for a certificate of authority to transact business in this Commonwealth by delivering an application to the Secretary of State for filing. The application shall set forth:
 - (a) The real name of the foreign entity and, if its real name is unavailable for use in this Commonwealth, a name that satisfies the requirements of KRS 14A.3-010;
 - (b) The name of the state or country under whose law it is organized;
 - (c) Its form of organization;
 - (d) Its date of organization;
 - (e) Its period of duration or a statement that its duration is perpetual;
 - (f) The street address of its principal office;
 - (g) The address of its registered office in this Commonwealth and the name of its registered agent at that office;
 - (h) The names and usual business addresses of:
 1. The secretary, the other principal officers, and the directors, if the entity is a foreign corporation;
 2. Each of the general partners, if the entity is a foreign limited partnership;
 3. Each of the managers, if the entity is a foreign limited liability company with managers; or
 4. Each of the trustees, if the entity is a foreign business trust;
 - (i) If the foreign entity is a foreign limited partnership, whether it is a foreign limited liability limited partnership; and
 - (j) If the foreign entity is a foreign professional service corporation, a representation that all of the shareholders, not less than one-half (1/2) of the directors, and all officers other than the secretary and treasurer would be qualified persons with respect to the corporation were it incorporated in this Commonwealth.
- (2) The execution of a certificate of authority shall constitute a representation by that person that the foreign entity validly exists under the laws of its jurisdiction of organization.
- (3) Unless the registered agent signs the application, the foreign entity shall deliver with the application for certificate of authority the registered agent's written consent to the appointment.
- (4) A certificate of authority or document of similar import of record with the Secretary of State as of the date immediately preceding January 1, 2011, including a statement of foreign qualification, shall remain effective, but its amendment shall be governed by KRS 14A.9-040.

Effective: January 1, 2011

History: Created 2010 Ky. Acts ch. 151, sec. 42, effective January 1, 2011.