

14A.9-060 Withdrawal of foreign entity. (Effective January 1, 2011)

- (1) A foreign entity authorized to transact business in this Commonwealth shall not withdraw from this Commonwealth until there has been filed with the Secretary of State a certificate of withdrawal.
- (2) A foreign entity authorized to transact business in this Commonwealth may submit a certificate of withdrawal for filing by delivering it to the Secretary of State. The certificate shall set forth:
 - (a) The real name of the foreign entity and, if applicable, the fictitious name under which it has qualified to transact business in this Commonwealth;
 - (b) The name of the state or country under whose law it is organized;
 - (c) That it is not transacting business in this Commonwealth and that it surrenders its authority to transact business in this Commonwealth;
 - (d) That it revokes the authority of its registered agent to accept service on its behalf and appoints the Secretary of State as its agent for service of process in any proceeding based on a cause of action arising consequent to having transacted business in this Commonwealth;
 - (e) A mailing address to which the Secretary of State may mail a copy of any process served on the Secretary of State under paragraph (d) of this subsection; and
 - (f) A commitment to notify the Secretary of State in the future of any change in its mailing address.
- (3) A certificate of withdrawal shall be deemed amended by the filing of a change in mailing address delivered pursuant to subsection (2)(f) of this section.
- (4) After the certificate of withdrawal of the foreign entity is effective, service of process on the Secretary of State under this section shall be service on the foreign entity. Upon receipt of process, the Secretary of State shall mail a copy of the process to the foreign entity at the address set forth under subsection (2)(e) of this section.

Effective: January 1, 2011

History: Created 2010 Ky. Acts ch. 151, sec. 45, effective January 1, 2011.