

AMENDMENTS TO LB 791

Introduced by Government, Military and Veterans Affairs.

1           1. Insert the following new sections:

2           Sec. 2. Section 21-2003, Revised Statutes Supplement,  
3 2009, is amended to read:

4           21-2003 (1) A document shall satisfy the requirements of  
5 this section and of any other provision of law that adds to or  
6 varies these requirements to be entitled to filing by the Secretary  
7 of State.

8           (2) The Business Corporation Act shall require or permit  
9 filing the document in the office of the Secretary of State.

10          (3) The document shall contain the information required  
11 by the act. It may contain other information as well.

12          (4) The document shall be typewritten or printed.

13          (5) The document shall be in the English language. A  
14 corporate name shall not be required to be in English if written  
15 in English letters or Arabic or Roman numerals. The certificate of  
16 existence required of foreign corporations shall not be required to  
17 be in English if accompanied by a reasonably authenticated English  
18 translation.

19          (6) The document shall be executed:

20          (a) By the chairperson of the board of directors of a  
21 domestic or foreign corporation, by its president, or by another of  
22 its officers;

23          (b) If directors have not been selected or the

1 corporation has not been formed, by an incorporator; or

2 (c) If the corporation is in the hands of a receiver,  
3 trustee, or other court-appointed fiduciary, by that fiduciary.

4 (7) The person executing the document shall sign it and  
5 state beneath or opposite his or her signature his or her name  
6 and the capacity in which he or she signs. The document may, but  
7 shall not be required to, contain (a) the corporate seal, (b) an  
8 attestation by the secretary or an assistant secretary, and (c) an  
9 acknowledgment, verification, or proof.

10 (8) If the Secretary of State has prescribed a mandatory  
11 form for the document under section 21-2004, the document shall be  
12 in or on the prescribed form.

13 (9) The document shall be delivered to the Secretary of  
14 State for filing and shall be accompanied by one exact or conformed  
15 copy, except as provided in sections 21-2033 and 21-20,176, the  
16 correct filing fee, and any tax, license fee, or penalty required  
17 by law. ~~For purposes of this subsection, delivered means physical~~  
18 ~~delivery of the document by hand, mail, or commercial delivery and~~  
19 ~~does not include delivery by electronic transmission.~~

20 Sec. 3. Original section 21-2003, Revised Statutes  
21 Supplement, 2009, is repealed.