

AMENDMENT # 1

OFFERED IN THE HOUSE
TO: CSHB 126(TRB)

BY REPRESENTATIVE RAUSCHER

1 Page 1, line 1, following "corporations;" (Title Amendment)

2 Insert "relating to the reinstatement of nonprofit corporations organized for a
3 religious purpose and religious corporations;"

4
5 Page 2, following line 6:

6 Insert new bill sections to read:

7 *** Sec. 2.** AS 10.20.325 is amended by adding a new subsection to read:

8 (b) A corporation organized under this chapter for a religious purpose that is
9 dissolved under (a) of this section may be reinstated at any time if it is established to
10 the satisfaction of the commissioner that in fact there was no cause for the dissolution,
11 or if the neglect, omission, delinquency, or noncompliance resulting in dissolution has
12 been corrected and payment made of double the amount delinquent along with the
13 amount the corporation would have paid had it not been dissolved during the period
14 between the date the certificate of dissolution was issued and the date of reinstatement.
15 Reinstatement may not be authorized if the corporation's name is no longer available
16 for use under AS 10.20.021(b), unless the corporation being reinstated amends its
17 articles of incorporation to change its name to conform with AS 10.20.021(b). Nothing
18 in this subsection relieves the reinstated corporation from penalty or forfeiture of its
19 powers in a case of failure to pay subsequently accruing licenses and taxes imposed by
20 a law of the state.

21 *** Sec. 3.** AS 10.20.630(a) is amended to read:

22 (a) The biennial report of a domestic or foreign corporation must be delivered
23 to the commissioner before July 2 of the reporting year. A domestic corporation filing

1 its articles of incorporation and a foreign corporation receiving a certificate of
2 authority during an even-numbered year must file the biennial report before July 2 of
3 each even-numbered year. A corporation filing its articles of incorporation or
4 receiving its certificate of authority during an odd-numbered year must file the
5 biennial report before July 2 of each odd-numbered year. The biennial report is
6 delinquent if not filed before August 1 of each odd or even year as provided in this
7 section. Delinquent returns are subject to the penalty prescribed in AS 10.20.325(a)
8 [AS 10.20.325].

9 * **Sec. 4.** AS 10.40.150 is amended by adding a new subsection to read:

10 (c) A corporation dissolved under (a) of this section may be reinstated at any
11 time if it is established to the satisfaction of the commissioner of commerce,
12 community, and economic development that in fact there was no cause for the
13 dissolution, or if the neglect, omission, delinquency, or noncompliance resulting in
14 dissolution has been corrected and payment made of double the amount delinquent
15 along with the amount the corporation would have paid had it not been dissolved
16 during the period between the date the certificate of dissolution was issued and the
17 date of reinstatement. Reinstatement may not be authorized if the corporation's name
18 is no longer available for use under AS 10.40.015, unless the corporation being
19 reinstated amends its articles of incorporation to change its name to conform with
20 AS 10.40.015. Nothing in this subsection relieves the reinstated corporation from
21 penalty or forfeiture of its powers in a case of failure to pay subsequently accruing
22 licenses and taxes imposed by a law of the state."
23

24 Renumber the following bill section accordingly.