

Introduced: 1/14/80  
Referred: Commerce and Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

2 HOUSE BILL NO. 530

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 ELEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the cancellation of certain  
7 corporation and business certificates and filings."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 10.05 is amended by adding a new section to read:

10 Sec. 10.05.794. CANCELLATION OF CERTIFICATES ISSUED AND FILINGS  
11 ACCEPTED. The commissioner may, within one year after a filing, and  
12 after written notice to the corporation or individual making a filing,  
13 cancel any certificate issued or filing accepted under this chapter,  
14 on any ground existing at the time notice of cancellation is made for  
15 which the commissioner could have originally refused to issue the  
16 certificate or accept the filing. The notice of cancellation must  
17 state the reason for the proposed cancellation. A corporation or  
18 individual may request a hearing within 15 days after receipt of the  
19 notice. Cancellation becomes final if the corporation or indivi-  
20 dual to whom notice is addressed does not request a hearing within  
21 15 days after receipt of notice. Notice of cancellation must be sent  
22 by certified mail, return receipt requested. If the return receipt  
23 is not received by the department within a reasonable time, notice may  
24 be made by publication in a newspaper of general circulation in the  
25 vicinity of the registered office of the corporation or the address of  
26 the individual who made the filing, and becomes final 15 days after  
27 publication.

28 \* Sec. 2. AS 10.10 is amended by adding a new section to read:

29 Sec. 10.10.185. CANCELLATION OF CERTIFICATES ISSUED AND FILINGS

1 ACCEPTED. The provisions in the Alaska Business Corporation Act (AS  
2 10.05) relating to the cancellation of certain corporate filings apply  
3 to corporations created under this chapter.

4 \* Sec. 3. AS 10.15.505 is amended to read:

5 Sec. 10.15.505. INVOLUNTARY DISSOLUTION AND CANCELLATION OF COR-  
6 PORATE FILINGS. The provisions in the Alaska Business Corporation Act  
7 (AS 10.05) relating to involuntary dissolution of business corpora-  
8 tions and to the cancellation of certain corporate filings apply to  
9 cooperatives.

10 \* Sec. 4. AS 10.20 is amended by adding a new section to read:

11 Sec. 10.20.673. CANCELLATION OF CERTIFICATES ISSUED AND FILINGS  
12 ACCEPTED. The provisions in the Alaska Business Corporation Act (AS  
13 10.05) relating to the cancellation of certain corporate filings apply  
14 to nonprofit corporations.

15 \* Sec. 5. AS 10.25 is amended by adding a new section to read:

16 Sec. 10.25.375. CANCELLATION OF CERTIFICATES ISSUED AND FILINGS  
17 ACCEPTED. The commissioner may, within one year after a filing, and  
18 after written notice to the cooperative or individual making a filing,  
19 cancel any certificate issued or filing accepted under this chapter,  
20 on any ground existing at the time notice of cancellation is made for  
21 which the commissioner could have originally refused to issue the  
22 certificate or accept the filing. The notice of cancellation must  
23 state the reason for the proposed cancellation. A cooperative or  
24 individual may request a hearing within 15 days after receipt of the  
25 notice. The notice of cancellation becomes final if the cooperative  
26 or individual to whom notice is addressed does not request a hearing  
27 within 15 days after receipt of notice. Notice of cancellation must  
28 be sent by certified mail, return receipt requested. If the return  
29 receipt is not received by the department within a reasonable time,

1 notice may be made by publication in a newspaper of general circulation  
2 in the vicinity of the registered office of the cooperative or the  
3 address of the individual who made the filing, and becomes final 15  
4 days after publication.

5 \* Sec. 6. AS 10.35 is amended by adding a new section to read:

6 Sec. 10.35.085. CANCELLATION OF CERTIFICATES ISSUED AND FILINGS  
7 ACCEPTED. The provisions in the Alaska Business Corporation Act (AS  
8 10.05) relating to the cancellation of certain corporate filings apply  
9 to business names.

10 \* Sec. 7. AS 10.40 is amended by adding a new section to read:

11 Sec. 10.40.160. CANCELLATION OF CERTIFICATES ISSUED AND FILINGS  
12 ACCEPTED. The provisions in the Alaska Business Corporation Act (AS  
13 10.05) relating to the cancellation of certain corporate filings apply  
14 to religious corporations.  
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