

14A.2-140 Certificate of authorization.

- (1) Anyone may apply to the Secretary of State to furnish a certificate of authorization for a foreign entity.
- (2) A certificate of authorization shall set forth:
 - (a) The foreign entity's real name and, if applicable, its fictitious name as adopted for use in this Commonwealth;
 - (b) That the foreign entity is authorized to transact business in this Commonwealth;
 - (c) That all fees, taxes, and penalties owed to this Commonwealth have been paid, if:
 1. Payment is reflected in the records of the Secretary of State; and
 2. Nonpayment affects the authorization of the foreign entity to transact business in this Commonwealth;
 - (d) That its most recent annual report required by KRS 14A.6-010 or predecessor law has been filed by the Secretary of State;
 - (e) That no certificate of withdrawal or document of similar import under prior law has been filed; and
 - (f) Other facts of record in the office of the Secretary of State that may be requested by the applicant.
- (3) Subject to any qualification stated in the certificate, a certificate of authorization issued by the Secretary of State may be relied upon as conclusive evidence that the foreign entity is authorized to transact business in this Commonwealth.
- (4) This section shall not apply to:
 - (a) A foreign partnership except as provided in KRS 14A.9-030(5);
 - (b) A foreign rural telephone cooperative or foreign rural electric cooperative not obligated to qualify to transact business by filing an application for a certificate of authority or document of similar import with the Secretary of State; or
 - (c) An individual series of a series entity.

Effective: July 12, 2012

History: Amended 2012 Ky. Acts ch. 81, sec. 81, effective July 12, 2012. -- Created 2010 Ky. Acts ch. 151, sec. 21, effective January 1, 2011.