

Sunsets 1/1/2016

48-2c-1611 Withdrawal of foreign company.

- (1) A foreign company authorized to transact business in this state may not withdraw from this state until its application for withdrawal has been filed with the division.
- (2) A foreign company authorized to transact business in this state may apply for withdrawal by delivering to the division for filing an application for withdrawal setting forth:
 - (a) its company name and its assumed name, if any;
 - (b) the name of the state or country under whose law it is formed or organized;
 - (c) the address of its principal office, or if none is to be maintained, a statement that the foreign company will not maintain a principal office, and if different from the address of the principal office or if no principal office is to be maintained, the address to which service of process may be mailed pursuant to Section 16-17-301;
 - (d) that the foreign company is not transacting business in this state and that it surrenders its authority to transact business in this state;
 - (e) whether its registered agent will continue to be authorized to accept service on its behalf in any proceeding based on a cause of action arising during the time it was authorized to transact business in this state; and
 - (f) any additional information that the division determines is necessary or appropriate to determine whether the foreign company is entitled to withdraw, and to determine and assess any unpaid taxes, fees, and penalties payable by it as prescribed by this chapter.
- (3) A foreign company's application for withdrawal may not be filed by the division until all outstanding fees and state tax obligations of the foreign company have been paid and the division has received a tax clearance certificate from the State Tax Commission.