

16-6a-1507 Registered name of foreign nonprofit corporation.

- (1)
 - (a) A foreign nonprofit corporation may register its corporate name as provided in this section if the name would be available for use as a corporate name for a domestic nonprofit corporation under Section 16-6a-401.
 - (b) If the foreign nonprofit corporation's corporate name would not be available for use as a corporate name for a domestic nonprofit corporation, the foreign nonprofit corporation may register its corporate name modified by the addition of any of the following words or abbreviations, if the modified name would be available for use under Section 16-6a-401:
 - (i) "corporation";
 - (ii) "incorporated";
 - (iii) "company";
 - (iv) "corp.";
 - (v) "inc."; or
 - (vi) "co."
- (2) A foreign nonprofit corporation registers its corporate name, or its corporate name with any addition permitted by Subsection (1), by delivering to the division for filing an application for registration:
 - (a) setting forth:
 - (i) its corporate name;
 - (ii) the name to be registered that shall meet the requirements of Section 16-6a-401 that apply to domestic nonprofit corporations;
 - (iii) the state or country and date of incorporation; and
 - (iv) a brief description of the nature of the business in which it is engaged; and
 - (b) accompanied by a certificate of existence, or a document of similar import from the state or country of incorporation as evidence that the foreign nonprofit corporation is in existence or has authority to conduct affairs under the laws of the state or country in which it is organized.
- (3)
 - (a) A name is registered for the applicant upon the effective date of the application.
 - (b) An initial registration is effective for one year.
- (4)
 - (a) A foreign nonprofit corporation that has in effect a registration of its corporate name as permitted by Subsection (1) may renew the registration by delivering to the division for filing a renewal application for registration, that complies with the requirements of Subsection (2).
 - (b) When filed, the renewal application for registration renews the registration for the year following filing.
- (5)
 - (a) A foreign nonprofit corporation that has in effect registration of its corporate name may:
 - (i) apply for authority to conduct affairs in this state under the registered name in accordance with the procedure set forth in this part; or
 - (ii) assign the registration to another foreign nonprofit corporation by delivering to the division for filing an assignment of the registration that states:
 - (A) the registered name;
 - (B) the name of the assigning foreign nonprofit corporation;
 - (C) the name of the assignee; and
 - (D) the assignee's application for registration of the name.
 - (b) The assignee's application for registration of the name required by Subsection (5)(a) shall meet the requirements of this part.

- (6)
 - (a) A foreign nonprofit corporation that has in effect registration of its corporate name may terminate the registration at any time by delivering to the division for filing a statement of termination:
 - (i) setting forth the corporate name; and
 - (ii) stating that the registration is terminated.
 - (b) A registration automatically terminates upon the filing of an application for authority to conduct affairs in this state under the registered name.
- (7) The registration of a corporate name under Subsection (1) constitutes authority by the division to file an application meeting the requirements of this part for authority to conduct affairs in this state under the registered name, but the authorization is subject to the limitations applicable to corporate names as set forth in Section 16-6a-403.

Amended by Chapter 197, 2002 General Session