

16-6a-1607 Annual report for division.

- (1) Each domestic nonprofit corporation, and each foreign nonprofit corporation authorized to conduct affairs in this state, shall deliver to the division for filing an annual report on a form provided by the division that sets forth:
 - (a)
 - (i) the corporate name of the domestic or foreign nonprofit corporation; and
 - (ii) any assumed corporate name of the foreign nonprofit corporation;
 - (b) the jurisdiction under whose law it is incorporated;
 - (c) the information required by Subsection 16-17-203(1);
 - (d) the street address of its principal office, wherever located; and
 - (e) the names and addresses of its directors and principal officers.
- (2) The division shall deliver a copy of the prescribed form of annual report to each domestic nonprofit corporation and each foreign nonprofit corporation authorized to conduct affairs in this state.
- (3) Information in the annual report shall be current as of the date the annual report is executed on behalf of the nonprofit corporation.
- (4)
 - (a) The annual report of a domestic or foreign nonprofit corporation shall be delivered annually to the division no later than 60 days past the date the report was mailed by the division.
 - (b) Proof to the satisfaction of the division that the nonprofit corporation has mailed an annual report form is considered in compliance with this Subsection (4).
- (5)
 - (a) If an annual report contains the information required by this section, the division shall file it.
 - (b) If an annual report does not contain the information required by this section, the division shall promptly notify the reporting domestic or foreign nonprofit corporation in writing and return the annual report to it for correction.
 - (c) If an annual report that is rejected under Subsection (5)(b) was otherwise timely filed and is corrected to contain the information required by this section and delivered to the division within 30 days after the effective date of the notice of rejection, the annual report is considered to be timely filed.
- (6) The fact that an individual's name is signed on an annual report form is prima facie evidence for division purposes that the individual is authorized to certify the report on behalf of the nonprofit corporation.
- (7) The annual report form provided by the division may be designed to provide a simplified certification by the nonprofit corporation if no changes have been made in the required information from the last preceding report filed.
- (8) A domestic or foreign nonprofit corporation may, but may not be required to, deliver to the division for filing an amendment to its annual report reflecting any change in the information contained in its annual report as last amended.

Amended by Chapter 364, 2008 General Session