

PROFESSIONAL CORPORATION ACT

AMENDMENTS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: D. Edgar Allen

AN ACT RELATING TO CORPORATIONS; AMENDING LIMITATIONS ON OFFICERS, DIRECTORS, OR SHAREHOLDERS; AND MAKING TECHNICAL CHANGES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

16-11-8, as enacted by Chapter 20, Laws of Utah 1963

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **16-11-8** is amended to read:

16-11-8. Officer, director, or shareholder must be licensed professional -- Nonlicensed person as secretary or treasurer.

~~Not~~ (1) (a) Except as provided in Subsection (1)(b), a person may not be an officer, director, or shareholder of a professional corporation ~~who~~ if that person is not an individual ~~[duly]~~ licensed to render the same specific professional services as those for which the corporation ~~[was] is~~ organized~~[-provided, however]~~.

(b) Notwithstanding Subsection (1)(a), a nonlicensed person may serve as secretary or treasurer of the professional corporation.

(2) For purposes of Subsection (1), professional services are considered the same specific professional services as those for which the corporation is organized if:

(a) the corporation is organized to provide services described in:

(i) Title 58, Chapter 67, Utah Medical Practice Act; or

(ii) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act; and

(b) the officer, director, or shareholder is licensed under either of the chapters listed in Subsection (2)(a).

Legislative Review Note
as of 12-20-99 9:28 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel