52:16A-37

LEGISLATIVE HISTORY CHECKLIST

NJSA:	52:16A-37		(Department of State-- Commercial Recording-- conforms procedures to statutory changes)
LAWS OF:	1988		**CHAPTER:** 95
BILL NO:	A2794		
SPONSOR(S):	Shusted and Rocco		
Date Introduced:	March 14, 1988		
Committee:	**Assembly:**	Judiciary	
	Senate:	----------	
Amended during passage:		Yes	Amendments during passage denoted by asterisks.
Date of Passage:	**Assembly:**	June 2, 1988	
	Senate:	June 16, 1988	
Date of Approval:	August 4, 1988		

Following statements are attached if available:

Sponsor statement:		Yes
Committee statement:	**Assembly**	Yes
	Senate	No
Fiscal Note:		No
Veto Message:		No
Message on Signing:		No

Following were printed:

Reports:	Yes
Hearings:	No

Report, referred to in statements:

974.90 New Jersey. Corporation Law Revision Commission.
C822 Report . . . February 1, 1986.
1987a Trenton, 1986.
(pp. 13- 16)

[FIRST REPRINT]

ASSEMBLY, No. 2794

STATE OF NEW JERSEY

INTRODUCED MARCH 14, 1988

By Assemblymen SHUSTED and ROCCO

AN ACT concerning certain services provided by the Office of the Secretary of State in relation to various corporations and amending P.L. 1982, c. 150.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 3 of P.L. 1982, c. 150 (C. 52:16A-37) is amended to read as follows:

3. In addition to continuing to perform all the functions, duties and responsibilities performed by the [Bureau] Division of Commercial Recording, the Division of Commercial Recording shall provide information by telephone to any person who makes a telephone request for the following information:

a. The availability of a corporate name under N.J.S. 14A:2-2;

b. Whether or not a corporation's certificate of incorporation or authority has been voided or revoked;

c. The name and address of the registered agent of a corporation;

d. The date of incorporation of a domestic corporation or the date of qualification of a foreign corporation;

e. The name and address of a corporation which has filed 1[a]1 [fictitious] 1[trade] an alternate1 name certificate pursuant to [P.L. 1973, c. 366, s. 3 (C. 14A:2-2.1)] N.J.S. 14A:2-2.1; and

f. Any other information contained in documents filed with the Secretary of State, which, in the discretion of the Secretary, is readily available.

The Secretary of State shall confirm in writing any of the information provided by telephone if the person so requests.

(cf: P.L. 1982, c. 150, s. 3)

2. Section 4 of P.L. 1982, c. 150 (C. 52:16A-38) is amended to read as follows:

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
1 Assembly floor amendments adopted May 16, 1988.

4. a. The Division of Commercial Recording shall provide for and establish an expedited over the counter corporate service. The processing of requests and information and documents shall be a priority same day service effected in a fast and efficient manner.

b. The Division of Commercial Recording shall provide expedited over the counter corporate service for the following requests:

(1) Any information contained in the annual report of a corporation;

(2) A certificate of standing;

(3) A certified or uncertified copy of any document filed with the Division of Commercial Recording;

(4) A certificate as to the existence or nonexistence of any facts on record with the Division of Commercial Recording;

(5) The availability of a corporate name under N.J.S. 14A:2-2;

(6) Filing a certificate of incorporation;

(7) Whether or not a corporation's certificate of incorporation or authority has been voided or revoked;

(8) The name and address of the registered agent of a corporation;

(9) The date of incorporation of a domestic corporation or the date of qualification of a foreign corporation;

(10) The name and address of a corporation which has filed 1[a]1 [fictitious] 1[trade] an alternate1 name certificate pursuant to [P.L. 1973, c. 366, s. 3 (C. 14A:2-2.1)] N.J.S. 14A:2-2.1;

(11) A financing statement filing (UCC-1) pursuant to N.J.S. 12A:9-401 et seq.;

(12) A change of record filing (UCC-3) pursuant to N.J.S. 12A:9-401 et seq.;

(13) A request for information or copies of filed financing statements (UCC-11) pursuant to N.J.S. 12A:9-401 et seq.;

(14) Any other information contained in the documents filed with the Division of Commercial Recording, which in the discretion of the Secretary of State is readily available; 1[and]1

(15) 1[Filing any other certificate or document required to be filed by the Secretary of State] Filing a certificate of merger;

(16) Filing a certificate of amendment; and

(17) Any other filing which the Secretary of State agrees to accept[1].

(cf: P.L. 1982, c. 150, s. 4)

3. This act shall take effect on the first day of the calendar month following the 90th day after enactment.

STATE GOVERNMENT

Corporations

Conforms wording of duties of Division of Commercial Recording in the Office of the Secretary of State with changes in terminology in N.J.S. 14A:2-2.1.

STATEMENT

This bill was drafted by the Corporation Law Revision Commission and is designed to conform sections 3 and 4 of P.L. 1982, c. 150, with changes in terminology in N.J.S. 14A:2-2.1. The comments of the commissioners are as follows:

Section 3 of P.L. 1982, c. 150 (C. 52:16A-37) has been revised merely to correct typographical errors and to change the reference from fictitious name to trade name to conform to a change in terminology in N.J.S. 14A:2-2.1.

Section 4 of P.L. 1982, c. 150 (C. 52:16A-38) has been revised merely to change the reference from fictitious name to trade name to conform to a change in terminology in N.J.S. 14A:2-2.1, and to authorize the Secretary of State to accept any filing on an expedited basis.

STATE GOVERNMENT
Corporations

Conforms wording of duties of Division of Commercial Recording in the Office of the Secretary of State with changes in terminology in N.J.S. 14A:2-2.1.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2794

STATE OF NEW JERSEY

DATED: APRIL 14, 1988

The Assembly Judiciary Committee reports favorably Assembly Bill No. 2794.

This bill is based on recommendations of the Corporation Law Revision Commission. It is designed to conform the wording of the statutes governing the Department of State with that in the revisions to Title 14A (see A-971).