

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Civic, Military, & Veterans Affairs.

HB26-1088 be amended as follows:

1 Amend printed bill, page 3, lines 2 and 3, strike "WITH A STATUS OF
2 EFFECTIVENESS PREVENTED;" and substitute "AND ADJUST THE ENTITY'S
3 RESULTING STATUS;".

4 Page 3, line 6, strike "(3)(b)," and substitute "(3)(a)," and strike "(1)(d)"
5 and substitute "(1)(d), (4)(g)(VIII), and (4)(g)(IX)".

6 Page 3, strike lines 22 through 27 and substitute:

7 "(a) Upon receipt of a complaint submitted pursuant to subsection
8 (2) of this section, the secretary of state shall review the complaint and
9 evaluate whether the complaint indicates a violation of subsection (1) of
10 this section and satisfies the requirements of subsection (2) of this
11 section. If so, the secretary of state, using electronic means, shall:

12 (I) Refer the complaint to the attorney general for review and
13 investigation under the "Colorado Consumer Protection Act", article 1 of
14 title 6; AND

15 (II) FOR COMPLAINTS ALLEGING THAT THE FILING WAS MADE IN
16 VIOLATION OF SUBSECTION (1)(a) OF THIS SECTION, MARK THE BUSINESS
17 RECORD WITH A NOTICE THAT THE ENTITY IS HAS RECEIVED A COMPLAINT
18 OR IS UNDER INVESTIGATION."

19 Page 4, strike lines 1 through 21.

20 Page 6, after line 9 insert:

21 "(g) (VIII) IN THE SITUATION DESCRIBED IN THE INTRODUCTORY
22 PORTION OF SUBSECTION (4)(g)(V) OF THIS SECTION, THE SECRETARY OF
23 STATE MAY TAKE ANY OF THE ACTIONS DESCRIBED IN SUBSECTIONS
24 (4)(g)(V)(A) TO (4)(g)(V)(C) OF THIS SECTION AGAINST ANY OTHER
25 ENTITY THAT USES AN ENTITY AS THE REGISTERED AGENT THAT HAS BEEN
26 CONCEDED OR HAS BEEN FOUND TO BE FRAUDULENT OR UNAUTHORIZED
27 AS THE REGISTERED AGENT.

28 (IX) IF A DOCUMENT SUBMITTED TO THE SECRETARY OF STATE FOR
29 FILING INCLUDES A REFERENCE TO THE SECRETARY OF STATE, THE
30 SECRETARY OF STATE'S ADDRESS OR VARIATIONS OF EITHER THE NAME OR
31 ADDRESS, THE SECRETARY OF STATE MAY, WITHOUT THE NEED FOR A FILED
32 COMPLAINT, TAKE ANY OF THE ACTIONS DESCRIBED IN SUBSECTIONS
33 (4)(g)(V)(A) TO (4)(g)(V)(C) OF THIS SECTION CONCERNING THE ENTITY
34 OR FILING."

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