

SENATE BILL No. 570

By Committee on Federal and State Affairs

3-17

1 AN ACT concerning the secretary of state; relating to biennial filing of
2 business entity reports, associated fees and filing requirements effective
3 January 1, 2023, enacted by 2021 House Bill No. 2391; changing the
4 effective date of such provisions from January 1, 2023, to January 1,
5 2024; amending K.S.A. 17-1513, 17-1618, 17-2037, 17-4677, 17-5902,
6 17-7509, 17-7511, 53-601, 56-1a605 and 75-446 and K.S.A. 2021
7 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-7002, 17-7503, 17-
8 7504, 17-7505, 17-7506, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-
9 76,146, 17-76,147, 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-
10 7936, 56-1a606, 56-1a607, 56a-1201 and 56a-1202 and repealing the
11 existing sections; reviving K.S.A. 2021 Supp. 17-7507; also repealing
12 K.S.A. 17-1513, as amended by section 2 of chapter 61 of the 2021
13 Session Laws of Kansas, 17-1618, as amended by section 3 of chapter
14 61 of the 2021 Session Laws of Kansas, 17-2037, as amended by
15 section 5 of chapter 61 of the 2021 Session Laws of Kansas, 17-4677,
16 as amended by section 9 of chapter 61 of the 2021 Session Laws of
17 Kansas, 17-5902, as amended by section 10 of chapter 61 of the 2021
18 Session Laws of Kansas, 17-7509, as amended by section 18 of chapter
19 61 of the 2021 Session Laws of Kansas, 17-7511, as amended by
20 section 20 of chapter 61 of the 2021 Session Laws of Kansas, 53-601,
21 as amended by section 38 of chapter 61 of the 2021 Session Laws of
22 Kansas, 56-1a605, as amended by section 40 of chapter 61 of the 2021
23 Session Laws of Kansas, and 75-446, as amended by section 51 of
24 chapter 61 of the 2021 Session Laws of Kansas, and K.S.A. 2020 Supp.
25 17-2036, as amended by section 4 of chapter 61 of the 2021 Session
26 Laws of Kansas, 17-2718, as amended by section 7 of chapter 61 of the
27 2021 Session Laws of Kansas, 17-4634, as amended by section 8 of
28 chapter 61 of the Session Laws of Kansas, 17-6014, as amended by
29 section 12 of chapter 61 of the 2021 Session Laws of Kansas, 17-7002,
30 as amended by section 13 of chapter 61 of the 2021 Session Laws of
31 Kansas, 17-7503, as amended by section 14 of chapter 61 of the 2021
32 Session Laws of Kansas, 17-7504, as amended by section 15 of chapter
33 61 of the 2021 Session Laws of Kansas, 17-7505, as amended by
34 section 16 of chapter 61 of the 2021 Session Laws of Kansas, 17-7506,
35 as amended by section 17 of chapter 61 of the 2021 Session Laws of
36 Kansas, 17-7510, as amended by section 19 of chapter 61 of the 2021

1 Session Laws of Kansas, 17-7512, as amended by section 21 of chapter
2 61 of the 2021 Session Laws of Kansas, 17-76,136, as amended by
3 section 22 of chapter 61 of the 2021 Session Laws of Kansas, 17-
4 76,139, as amended by section 23 of chapter 61 of the 2021 Session
5 Laws of Kansas, 17-76,146, as amended by section 24 of chapter 61 of
6 the 2021 Session Laws of Kansas, 17-76,147, as amended by section 25
7 of chapter 61 of the 2021 Session Laws of Kansas, 17-7903, as
8 amended by section 27 of chapter 61 of the 2021 Session Laws of
9 Kansas, 17-7904, as amended by section 28 of chapter 61 of the 2021
10 Session Laws of Kansas, 17-7905, as amended by section 29 of chapter
11 61 of the 2021 Session Laws of Kansas, 17-7906, as amended by
12 section 30 of chapter 61 of the 2021 Session Laws of Kansas, 17-7910,
13 as amended by section 32 of chapter 61 of the 2021 Session Laws of
14 Kansas, 17-7936, as amended by section 33 of chapter 61 of the 2021
15 Session Laws of Kansas, 56-1a606, as amended by section 41 of
16 chapter 61 of the 2021 Session Laws of Kansas, 56-1a607, as amended
17 by section 42 of chapter 61 of the 2021 Session Laws of Kansas, 56a-
18 1201, as amended by section 45 of chapter 61 of the 2021 Session
19 Laws of Kansas, and 56a-1202, as amended by section 46 of chapter 61
20 of the 2021 Session Laws of Kansas, and K.S.A. 2021 Supp. 17-7507,
21 as revived by section 15 of this act.
22

23 *Be it enacted by the Legislature of the State of Kansas:*

24 Section 1. On and after January 1, 2024, K.S.A. 17-1513 is hereby
25 amended to read as follows: 17-1513. Each corporation organized under
26 the provisions of this act shall make ~~an annual~~ *a written business entity*
27 *information* report to the secretary of state, and pay the ~~annual report~~
28 *required* fee, as prescribed by K.S.A. 17-7503, and amendments thereto.

29 Sec. 2. On and after January 1, 2024, K.S.A. 17-1618 is hereby
30 amended to read as follows: 17-1618. Each association formed under this
31 act, ~~or acts amendatory thereto,~~ shall prepare and make ~~an annual~~ *a written*
32 *business entity information* report to the secretary of state, and pay the
33 ~~annual report~~ *required* fee, as prescribed by K.S.A. 17-7504, and
34 amendments thereto, ~~except that the report shall be filed at the time~~
35 ~~prescribed by law for filing the association's annual Kansas income tax~~
36 ~~return.~~

37 Sec. 3. On and after January 1, 2024, K.S.A. 2021 Supp. 17-2036 is
38 hereby amended to read as follows: 17-2036. (a) Every business trust shall
39 make ~~an annual~~ *a written business entity information* report ~~in writing~~ to
40 the secretary of state, stating the prescribed information concerning the
41 business trust at the close of business on the last day of its tax period under
42 the Kansas income tax act next preceding the date of filing, but if a
43 business trust's tax period is other than the calendar year, it shall give

1 notice thereof to the secretary of state prior to December 31 of the year it
2 commences such tax period.

3 (b) ~~The reports~~ report shall be made on forms provided by the
4 secretary of state and shall be filed *biennially, as determined by the year*
5 *that the business trust filed its formation documents. A business trust that*
6 *filed formation documents in an even-numbered year shall file a report in*
7 *each even-numbered year. A business trust that filed formation documents*
8 *in an odd-numbered year shall file a report in each odd-numbered year.*
9 *The report shall be filed after the close of the business trust's tax period*
10 *but not later than at the time prescribed by law for filing the business*
11 *trust's annual Kansas income tax return.*

12 (c) The report shall be signed by a trustee or other authorized officer
13 under penalty of perjury and contain the following:

14 (1) Executed copies of all amendments to the instrument by which the
15 business trust was created, or to prior amendments thereto, ~~which that~~
16 have been adopted and have not theretofore been filed under K.S.A. 17-
17 2033, and amendments thereto, and accompanied by the fee prescribed
18 therein for each such amendment; and

19 (2) a verified list of the names and addresses of its trustees as of the
20 end of ~~its tax period~~ *each of such business trust's tax periods included in*
21 *the report.*

22 ~~(b)(d)~~ (1) At the time of filing ~~its annual~~ *the business entity*
23 *information report, the business trust shall pay to the secretary of state an*
24 ~~annual report~~ *a fee in an amount equal to \$40 \$80, plus the amount*
25 *specified in rules and regulations of the secretary multiplied by the*
26 *number of tax periods included in the report.*

27 (2) The failure of any domestic or foreign business trust to file its
28 ~~annual business entity information~~ report and pay ~~its annual report~~ *the*
29 *required fee within 90 days from the date on which they such report and*
30 *fee are due, as described in subsection (a), or, in the case of an annual a*
31 *report filing and fee received by mail, postmarked within 90 days from the*
32 *date on which they such report and fee are due, as described in subsection*
33 ~~(a)~~, shall work a forfeiture of ~~its such business trust's~~ *authority to transact*
34 *business in this state and all of the remedies, procedures and penalties*
35 *specified in K.S.A. 17-7509 and 17-7510, and amendments thereto, with*
36 *respect to a corporation which that fails to file its annual business entity*
37 *information report or pay its annual report the required fee within 90 days*
38 *after they such report and fee are due, shall be applicable to such business*
39 *trust.*

40 ~~(e)(e)~~ (1) All copies of applications for extension of the time for
41 filing income tax returns submitted to the secretary of state pursuant to law
42 shall be maintained by the secretary of state in a confidential file and shall
43 not be disclosed to any person except as authorized pursuant to the

1 provisions of K.S.A. 79-3234, and amendments thereto, a proper judicial
2 order and ~~subsection (d) paragraph (2)~~. All copies of such applications
3 shall be preserved for one year and until the secretary of state orders that
4 the copies are to be destroyed.

5 ~~(d)(2)~~ A copy of such application shall be open to inspection by or
6 disclosure to any person designated by resolution of the trustees of the
7 business trust.

8 Sec. 4. On and after January 1, 2024, K.S.A. 17-2037 is hereby
9 amended to read as follows: 17-2037. (a) Any business trust, domestic or
10 foreign, ~~which~~ *that* has obtained authority under this act to transact
11 business in Kansas may surrender its authority at any time by:

12 (1) Filing in the office of the secretary of state a certified copy of a
13 resolution duly adopted by its trustees declaring its intention to withdraw,
14 ~~accompanied by:~~

15 (2) *paying a withdrawal fee of \$20 at the time the resolution is filed;*
16 and

17 (3) ~~filing all annual business entity information reports and paying all~~
18 ~~annual report fees~~ required by K.S.A. 17-2036, and amendments thereto,
19 ~~and that such business trust has not previously filed and paid.~~

20 (b) During a period of five years following the effective date of such
21 withdrawal the business trust shall nevertheless be entitled to convey and
22 dispose of its property and assets in this state, settle and close out its
23 business in this state, and perform any other act or acts pertinent to the
24 liquidation of its business, property, and assets in this state, and to
25 prosecute and defend all suits filed prior to the expiration of such five-year
26 period involving causes of action arising prior to the effective date of such
27 withdrawal or arising out of any act or transaction occurring during such
28 five-year period in the course of the liquidation of its business, property or
29 assets.

30 (c) The withdrawal of a business trust as provided in this section shall
31 have no effect upon any suit filed by or against it prior to the expiration of
32 such five-year period until such suit has been finally determined or
33 otherwise finally concluded and all judgments, orders and decrees entered
34 therein have been fully executed, even though such final determination,
35 conclusion, or execution occurs after the expiration of such five-year
36 period. With respect to a foreign business trust, withdrawal pursuant to this
37 section shall not affect its written consent to be sued in the courts of this
38 state, or the jurisdiction over such foreign business trust of the courts of
39 this state, with respect to any cause of action which arose prior to the
40 effective date of its withdrawal.

41 Sec. 5. On and after January 1, 2024, K.S.A. 2021 Supp. 17-2718 is
42 hereby amended to read as follows: 17-2718. (a) Each professional
43 corporation organized under the laws of this state shall file with the

1 secretary of state ~~an annual~~ *a written business entity information report in*
 2 ~~writing~~ stating the prescribed information concerning the corporation at
 3 the close of business on the last day of its tax period next preceding the
 4 date of filing, but if any such corporation's tax period is other than the
 5 calendar year it shall give notice thereof to the secretary of state prior to
 6 December 31 of the year it commences such tax period.

7 (b) The report shall be filed *biennially, as determined by the year that*
 8 *the professional corporation filed its formation documents. A professional*
 9 *corporation that filed formation documents in an even-numbered year*
 10 *shall file a report in each even-numbered year. A professional corporation*
 11 *that filed formation documents in an odd-numbered year shall file a report*
 12 *in each odd-numbered year. The report shall be filed after the close of the*
 13 *professional corporation's tax period but not later than at the time*
 14 *prescribed by law for filing the corporation's annual Kansas income tax*
 15 *return.*

16 (c) The report shall be made on a form provided by the secretary of
 17 state, containing the following information:

18 (1) The names and addresses of all officers, directors and
 19 shareholders of the professional corporation;

20 (2) a statement that each officer, director and shareholder is or is not a
 21 qualified person as defined in K.S.A. 17-2707, and amendments thereto,
 22 and setting forth the date on which any shares of the corporation were no
 23 longer owned by a qualified person; and

24 (3) the amount of capital stock issued.

25 ~~(b)(d)~~ The report shall be signed by its president, secretary, treasurer
 26 or other officer duly authorized so to act, or by any two of its directors, or
 27 by an incorporator in the event ~~its~~ *the corporation's* board of directors
 28 shall not have been elected. *The official title or position of the individual*
 29 *signing the report shall be designated.* The fact that an individual's name is
 30 signed on such report shall be prima facie evidence that such individual is
 31 authorized to sign the report on behalf of the corporation; ~~however, the~~
 32 ~~official title or position of the individual signing the report shall be~~
 33 ~~designated.~~ ~~This~~ *The* report shall be subscribed by the person as true, under
 34 penalty of perjury. Upon request by the regulatory board ~~which that~~
 35 licenses the shareholders described in the report, a copy of the ~~annual~~
 36 report shall be forwarded to the regulatory board.

37 (e) At the time of filing its ~~annual~~ *business entity information* report,
 38 each professional corporation shall pay the ~~annual report~~ fee prescribed by
 39 K.S.A. 17-7503, and amendments thereto.

40 Sec. 6. On and after January 1, 2024, K.S.A. 2021 Supp. 17-4634 is
 41 hereby amended to read as follows: 17-4634. (a) Every corporation
 42 organized under the electric cooperative act of this state shall make ~~an~~
 43 ~~annual~~ *a written business entity information report in writing* to the

1 secretary of state, stating the prescribed information concerning the
2 corporation at the close of business on the last day of its tax period next
3 preceding the date of filing, but if any such corporation's tax period is
4 other than the calendar year, it shall give notice thereof to the secretary of
5 state prior to December 31 of the year it commences such tax period.

6 (b) The report shall be filed ~~on or before~~ *biennially, as determined by*
7 *the year that the electric cooperative filed its formation documents. An*
8 *electric cooperative that filed formation documents in an even-numbered*
9 *year shall file a report in each even-numbered year. An electric*
10 *cooperative that filed formation documents in an odd-numbered year shall*
11 *file a report in each odd-numbered year. The report shall be filed after the*
12 *close of the electric cooperative's tax period but not later than the 15th day*
13 *of the 4th fourth month following the close of the tax year of the electric*
14 *cooperative.*

15 (c) The report shall be made on a form provided by the secretary of
16 state, containing the following information:

17 (1) The name of the corporation;

18 (2) the location of the principal office;

19 (3) the names and addresses of the president, secretary, treasurer and
20 all directors;

21 (4) the number of memberships issued; and

22 (5) the change or changes, if any, in the particulars made since the
23 last ~~annual~~ *business entity information report.*

24 ~~(b)(d)~~ Such reports shall be signed by the president, vice-president or
25 secretary of the corporation under penalty of perjury and forwarded to the
26 secretary of state.

27 (e) At the time of filing ~~such annual~~ *its business entity information*
28 *report, each such corporation shall pay an annual report a fee in an amount*
29 *equal to \$40 \$80, plus the amount specified in rules and regulations of the*
30 *secretary multiplied by the number of tax periods included in the report.*

31 Sec. 7. On and after January 1, 2024, K.S.A. 17-4677 is hereby
32 amended to read as follows: 17-4677. (a) Every cooperative organized
33 under the renewable energy electric generation cooperative act shall make
34 ~~an annual~~ *a written business entity information report in writing* to the
35 secretary of state, stating the prescribed information concerning the
36 cooperative at the close of business on the last day of its tax period next
37 preceding the date of filing, but if any such cooperative's tax period is
38 other than the calendar year, it shall give notice thereof to the secretary of
39 state prior to December 31 of the year it commences such tax period.

40 (b) The report shall be filed ~~on or before~~ *biennially, as determined by*
41 *the year that the renewable energy electric generation cooperative filed its*
42 *articles of formation documents. A renewable energy electric generation*
43 *cooperative that filed formation documents in an even-numbered year*

1 *shall file a report in each even-numbered year. A renewable energy*
 2 *electric generation cooperative that filed formation documents in an odd-*
 3 *numbered year shall file a report in each odd-numbered year. The report*
 4 *shall be filed after the close of the electric cooperative's tax period but not*
 5 *later than the 15th day of the sixth month following the close of the tax*
 6 *year of the electric cooperative.*

7 (c) The report shall be made on a form provided by the secretary of
 8 state, containing the following information:

9 (1) The name of the cooperative;

10 (2) the location of the principal office of the cooperative;

11 (3) the names and addresses of the president, secretary, treasurer and
 12 directors of the cooperative;

13 (4) the number of members of the cooperative; and

14 (5) the change or changes, if any, in the particulars made since the
 15 last ~~annual~~ *business entity information* report.

16 ~~(b)~~(d) The ~~annual~~ report shall be dated, signed by the president, vice-
 17 president or secretary of the cooperative under penalty of perjury and
 18 forwarded to the secretary of state.

19 (e) At the time of filing ~~such annual~~ *its business entity information*
 20 *report, the cooperative shall pay an annual report a fee in an amount equal*
 21 *to \$40 \$80, plus the amount specified in rules and regulations of the*
 22 *secretary multiplied by the number of tax periods included in the report.*

23 Sec. 8. On and after January 1, 2024, K.S.A. 17-5902 is hereby
 24 amended to read as follows: 17-5902. (a) All corporations and limited
 25 partnerships, as defined in K.S.A. 17-5903, and amendments thereto,
 26 ~~which that~~ hold agricultural land, as defined in K.S.A. 17-5903, and
 27 amendments thereto, within this state, and ~~which that~~ are required to make
 28 ~~annual~~ *written business entity information* reports to the secretary of state
 29 shall provide the information required of such corporations and limited
 30 partnerships in the ~~annual~~ *business entity information* reports made under
 31 K.S.A. 17-7503, 17-7504, 17-7505, 56-1a606 or 56-1a607, and
 32 amendments thereto. The information required by this section does not
 33 apply to the following:

34 (1) A tract of land of less than 10 acres;

35 (2) contiguous tracts of land ~~which that~~ in the aggregate are of less
 36 than 10 acres; or

37 (3) state assessed railroad operating property.

38 (b) Any person who shall knowingly submit, or who through the
 39 proper and due exercise of care and diligence should have known that any
 40 submission of information and statements required of corporations and
 41 limited partnerships subject to the provisions of this section are false or
 42 materially misleading, or who fails or refuses to submit such information
 43 and statements is guilty of a class A misdemeanor.

1 (c) The secretary of state shall keep a separate index of all
2 corporations and limited partnerships subject to the provisions of this
3 section.

4 Sec. 9. On and after January 1, 2024, K.S.A. 2021 Supp. 17-6014 is
5 hereby amended to read as follows: 17-6014. (a) Except as otherwise
6 provided in subsections (b) and (c), the provisions of the Kansas general
7 corporation code shall apply to nonstock corporations in the manner
8 specified in this subsection:

9 (1) All references to stockholders of the corporation shall be deemed
10 to refer to members of the corporation;

11 (2) all references to the board of directors of the corporation shall be
12 deemed to refer to the governing body of the corporation;

13 (3) all references to directors or to members of the board of directors
14 of the corporation shall be deemed to refer to members of the governing
15 body of the corporation; and

16 (4) all references to stock, capital stock, or shares thereof of a
17 corporation authorized to issue capital stock shall be deemed to refer to
18 memberships of a nonprofit nonstock corporation and to membership
19 interests of any other nonstock corporation.

20 (b) Subsection (a) shall not apply to:

21 (1) K.S.A. 17-6002(a)(4), (b)(1) and (b)(2), 17-6009(a), 17-6301, 17-
22 6404, 17-6505, 17-6518, 17-6520(b), 17-6601, 17-6602, 17-6703, 17-
23 6705, 17-6706, 17-6707, 17-6708, 17-6801, 17-6805, 17-6805a, 17-7001,
24 17-7002, 17-7503(a)(4) and (b)(4)(c)(4) and (d)(4), 17-7504, 17-7505(a)
25 (4) and (b)(4)(c)(4) and (d)(4) and 17-7514(c), and amendments thereto,
26 and K.S.A. 2021 Supp. 17-6014, and amendments thereto, that apply to
27 nonstock corporations by their terms;

28 (2) K.S.A. 17-6002(e), the last sentence of 17-6009(b), 17-6401, 17-
29 6402, 17-6403, 17-6405, 17-6406, 17-6407(d), 17-6408, 17-6411, 17-
30 6412, 17-6413, 17-6414, 17-6415, 17-6416, 17-6417, 17-6418, 17-6501,
31 17-6502, 17-6503, 17-6504, 17-6506, 17-6509, 17-6512, 17-6521, 17-
32 6603, 17-6604, 17-6701, 17-6702, 17-6803 and 17-6804, and amendments
33 thereto, and K.S.A. 2021 Supp. 17-6427, 17-6428, 17-6429 and 17-72a04,
34 and amendments thereto; and

35 (3) article 72 and article 73 of chapter 17 of the Kansas Statutes
36 Annotated, and amendments thereto.

37 (c) In the case of a nonprofit nonstock corporation, subsection (a)
38 shall not apply to:

39 (1) The sections and articles listed in subsection (b);

40 (2) K.S.A. 17-6002(b)(3), 17-6304(a)(2), 17-6507, 17-6508, 17-6712,
41 17-7503, 17-7505, 17-7509 and 17-7511, and amendments thereto, and
42 K.S.A. 2021 Supp. 17-6011(a)(2) and (a)(3), and amendments thereto; and

43 (3) article 64 of chapter 17 of the Kansas Statutes Annotated, and

1 amendments thereto, and K.S.A. 2021 Supp. 17-72a01 through 17-72a09,
2 and amendments thereto.

3 (d) For purposes of the Kansas general corporation code:

4 (1) A "charitable nonstock corporation" is any nonprofit nonstock
5 corporation that is exempt from taxation under § 501(c)(3) of the federal
6 internal revenue code of 1986, 26 U.S.C. § 501(c)(3);

7 (2) a "membership interest" is, unless otherwise provided in a
8 nonstock corporation's articles of incorporation, a member's share of the
9 profits and losses of a nonstock corporation, or a member's right to receive
10 distributions of the nonstock corporation's assets, or both;

11 (3) a "nonprofit nonstock corporation" is a nonstock corporation that
12 does not have membership interests; and

13 (4) a "nonstock corporation" is any corporation organized under the
14 Kansas general corporation code that is not authorized to issue capital
15 stock.

16 Sec. 10. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7002 is
17 hereby amended to read as follows: 17-7002. (a) As used in this section,
18 the term:

19 (1) "Articles of incorporation" includes the articles of incorporation
20 of a corporation organized under any special act or any law of this state;
21 and

22 (2) "authority to engage in business" includes the registration of any
23 foreign corporation under K.S.A. 2021 Supp. 17-7931, and amendments
24 thereto.

25 (b) Any corporation may, at any time before the expiration of the time
26 limited for its existence and any corporation whose articles of
27 incorporation or authority to engage in business has become forfeited or
28 void pursuant to this code and any corporation whose articles of
29 incorporation or authority to engage in business has expired by reason of
30 failure to renew it or whose articles of incorporation or authority to engage
31 in business has been renewed, but, through failure to comply strictly with
32 the provisions of this code, the validity of whose renewal has been brought
33 into question, at any time procure an extension, renewal or reinstatement
34 of its articles of incorporation, if a domestic corporation, or its authority to
35 engage in business, if a foreign corporation, together with all the rights,
36 franchises, privileges and immunities and subject to all of its duties, debts
37 and liabilities—~~which~~ *that* had been secured or imposed by its original
38 articles of incorporation, and all amendments thereto, or by its authority to
39 engage in business, as the case may be, by complying with the
40 requirements of this section.

41 (c) The extension, renewal or reinstatement of the articles of
42 incorporation or authority to engage in business may be procured by
43 executing and filing a certificate in accordance with K.S.A. 2021 Supp.

1 17-7908 through 17-7910, and amendments thereto.

2 (d) The certificate required by subsection (c) shall state:

3 (1) The name of the corporation, which shall be the existing name of
4 the corporation or the name it bore when its articles of incorporation or
5 authority to engage in business expired, except as provided in subsection
6 ~~(f) and the date of filing of its original articles of incorporation with the~~
7 ~~secretary of state;~~

8 (2) the address of the corporation's registered office in this state,
9 which shall be stated in accordance with K.S.A. 2021 Supp. 17-7924(c),
10 and amendments thereto, and the name of its resident agent at such
11 address;

12 (3) whether or not the renewal, or reinstatement is to be perpetual
13 and, if not perpetual, the time for which the renewal or reinstatement is to
14 continue and, in case of renewal before the expiration of the time limited
15 for its existence, the date when the renewal is to commence, which shall be
16 prior to the date of the expiration of the old articles of incorporation or
17 authority to engage in business which it is desired to renew;

18 (4) that the corporation desiring to be renewed or reinstated and so
19 renewing or reinstating its corporate existence was duly organized under
20 the laws of the state of its original incorporation;

21 (5) the date when the articles of incorporation or the authority to
22 engage in business would expire, if such is the case, or such other facts as
23 may show that the articles of incorporation or the authority to engage in
24 business has become forfeited or void pursuant to this code, or that the
25 validity of any renewal has been brought into question; and

26 (6) that the certificate for reinstatement is filed by authority of those
27 who were directors or members of the governing body of the corporation
28 at the time its articles of incorporation or the authority to engage in
29 business expired, or who were elected directors or members of the
30 governing body of the corporation as provided in subsection (h).

31 (e) Upon the filing of the certificate in accordance with K.S.A. 2021
32 Supp. 17-7908 through 17-7910, and amendments thereto, the corporation
33 shall be renewed or reinstated with the same force and effect as if its
34 articles of incorporation or authority to engage in business had not been
35 forfeited or void pursuant to this code or had not expired by limitation.
36 Such reinstatement shall validate all contracts, acts, matters and things
37 made, done and performed within the scope of its articles of incorporation
38 or authority to engage in business by the corporation, its officers and
39 agents during the time when its articles of incorporation or authority to
40 engage in business was forfeited or void pursuant to this code, or after
41 their expiration by limitation, with the same force and effect and to all
42 intents and purposes as if the articles of incorporation had at all times
43 remained in full force and effect. All real and personal property, rights and

1 credits, which belonged to the corporation at the time its articles of
2 incorporation or authority to engage in business became forfeited or void
3 pursuant to this code, or expired by limitation and which were not
4 disposed of prior to the time of its renewal or reinstatement shall be vested
5 in the corporation after its renewal or reinstatement, as fully and amply as
6 they were held by the corporation at and before the time its articles of
7 incorporation or authority to engage in business became forfeited or void
8 pursuant to this code, or expired by limitation, and the corporation after its
9 renewal or reinstatement shall be as exclusively liable for all contracts,
10 acts, matters and things made, done or performed in its name and on its
11 behalf by its officers and agents prior to its reinstatement, as if its articles
12 of incorporation or authority to engage in business had at all times
13 remained in full force and effect.

14 (f) If, since the articles of incorporation became forfeited or void
15 pursuant to this code, or expired by limitation, any other corporation
16 organized under the laws of this state shall have adopted the same name as
17 the corporation sought to be renewed or reinstated or shall have adopted a
18 name so nearly similar thereto as not to distinguish it from the corporation
19 to be renewed or reinstated, or any foreign corporation registered in
20 accordance with K.S.A. 2021 Supp. 17-7931, and amendments thereto,
21 shall have adopted the same name as the corporation sought to be renewed
22 or reinstated, or shall have adopted a name so nearly similar thereto as not
23 to distinguish it from the corporation to be renewed or reinstated, then in
24 such case the corporation to be renewed or reinstated shall not be renewed
25 under the same name which it bore when its articles of incorporation
26 became forfeited or void pursuant to this code or expired, but shall adopt
27 or be renewed under some other name; and in such case the certificate to
28 be filed under the provisions of this section shall set forth the name borne
29 by the corporation at the time its articles of incorporation became forfeited
30 or void pursuant to this code, or expired and the new name under which
31 the corporation is to be renewed or reinstated.

32 (g) Any corporation that renews or reinstates its articles of
33 incorporation or authority to engage in business under this code shall file
34 all ~~annual~~ *past due business entity information* reports for the immediately
35 *preceding 10 years* and pay to the secretary of state an amount equal to all
36 fees and any penalties thereon due. Nonprofit corporations shall file only
37 the ~~annual~~ *business entity information* reports for the ~~three~~ most recent
38 ~~reporting periods period, but shall~~ and pay to the secretary of state an
39 *amount equal to all fees due.*

40 (h) If a sufficient number of the last acting officers of any corporation
41 desiring to renew or reinstate its articles of incorporation are not available
42 by reason of death, unknown address or refusal or neglect to act, the
43 directors of the corporation or those remaining on the board, even if only

1 one, may elect successors to such officers. In any case where there shall be
2 no directors of the corporation available for the purposes aforesaid, the
3 stockholders may elect a full board of directors, as provided by the bylaws
4 of the corporation, and the board shall then elect such officers as are
5 provided by law, by the articles of incorporation or by the bylaws to carry
6 on the business and affairs of the corporation. A special meeting of the
7 stockholders for the purposes of electing directors may be called by any
8 officer, director or stockholder upon notice given in accordance with
9 K.S.A. 17-6512, and amendments thereto.

10 (i) After a reinstatement of the articles of incorporation of the
11 corporation shall have been effected, the provisions of K.S.A. 17-6501(c),
12 and amendments thereto, shall govern and the period of time the articles of
13 incorporation of the corporation was forfeited pursuant to this code, or
14 after its expiration by limitation, shall be included within the calculation of
15 the 30-day and 13-month periods to which K.S.A. 17-6501(c), and
16 amendments thereto, refers. A special meeting of stockholders held in
17 accordance with subsection (h) shall be deemed an annual meeting of the
18 stockholders for purposes of K.S.A. 17-6501(c), and amendments thereto.

19 (j) Whenever it shall be desired to renew or reinstate the articles of
20 incorporation or authority to engage in business of any nonstock
21 corporation, the governing body shall perform all the acts necessary for the
22 renewal or reinstatement of the articles of incorporation of the corporation
23 or its authority to engage in business which are performed by the board of
24 directors in the case of a corporation having capital stock, and the
25 members of any nonstock corporation who are entitled to vote for the
26 election of members of its governing body and any other members entitled
27 to vote for dissolution under the articles of incorporation or bylaws of such
28 corporation, shall perform all the acts necessary for the renewal or
29 reinstatement of the articles of incorporation of the corporation or its
30 authority to engage in business which are performed by the stockholders in
31 the case of a corporation having capital stock. In all other respects, the
32 procedure for the renewal or reinstatement of the articles of incorporation
33 or authority to engage in business of a nonstock corporation shall conform,
34 as nearly as may be applicable, to the procedure prescribed in this section
35 for the renewal or revival of the articles of incorporation of a corporation
36 having capital stock, except that subsection (i) shall not apply to nonstock
37 corporations.

38 Sec. 11. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7503 is
39 hereby amended to read as follows: 17-7503. (a) Every domestic
40 corporation organized for profit shall make ~~an annual~~ *a written business*
41 *entity information* report ~~in writing~~ to the secretary of state, stating the
42 prescribed information concerning the corporation at the close of business
43 on the last day of its tax period next preceding the date of filing, but if a

1 corporation's tax period is other than the calendar year, it shall give notice
2 thereof to the secretary of state prior to December 31 of the year it
3 commences such tax period.

4 (b) ~~The reports~~ report shall be made on forms prescribed by the
5 secretary of state. ~~The report~~ and shall be filed *biennially, as determined*
6 *by the year that the domestic corporation filed its formation documents. A*
7 *domestic corporation that filed formation documents in an even-numbered*
8 *year shall file a report in each even-numbered year. A domestic*
9 *corporation that filed formation documents in an odd-numbered year shall*
10 *file a report in each odd-numbered year. The report shall be filed after the*
11 *close of the corporation's tax period but not later than at the time*
12 *prescribed by law for filing the corporation's annual Kansas income tax*
13 *return.*

14 (c) The report shall contain the following information:

- 15 (1) The name of the corporation;
- 16 (2) the location of the principal office;
- 17 (3) the names and addresses of the president, secretary, treasurer or
18 equivalent of such officers and members of the board of directors;
- 19 (4) the number of shares of capital stock issued;
- 20 (5) the nature and kind of business in which the corporation is
21 engaged; and
- 22 (6) if the corporation is a parent corporation holding more than 50%
23 equity ownership in any other business entity registered with the secretary
24 of state, the name and identification number of any such subsidiary
25 business entity.

26 ~~(b)~~(d) Every corporation subject to the provisions of this section
27 ~~which~~ that holds agricultural land, as defined in K.S.A. 17-5903, and
28 amendments thereto, within this state shall show the following additional
29 information on the report:

- 30 (1) The acreage and location listed by section, range, township and
31 county of each lot, tract or parcel of agricultural land in this state owned or
32 leased by or to the corporation;
- 33 (2) the purposes for which such agricultural land is owned or leased
34 and, if leased, to whom such agricultural land is leased;
- 35 (3) the value of the nonagricultural assets and the agricultural assets,
36 stated separately, owned and controlled by the corporation both within and
37 without the state of Kansas and where situated;
- 38 (4) the total number of stockholders of the corporation;
- 39 (5) the number of acres owned or operated by the corporation, the
40 number of acres leased by the corporation and the number of acres leased
41 to the corporation;
- 42 (6) the number of acres of agricultural land, held and reported in each
43 category under paragraph (5), stated separately, being irrigated; and

1 (7) whether any of the agricultural land held and reported under this
2 subsection was acquired after July 1, 1981.

3 ~~(e)~~(e) The report shall be executed in accordance with the provisions
4 of K.S.A. 2021 Supp. 17-7908 through 17-7910, and amendments thereto.
5 *The official title or position of the individual signing the report shall be*
6 *designated.* The fact that an individual's name is signed on such report
7 shall be prima facie evidence that such individual is authorized to sign the
8 report on behalf of the corporation; ~~however, the official title or position of~~
9 ~~the individual signing the report shall be designated.~~ This report shall be
10 subscribed by the person as true, under penalty of perjury.

11 (f) At the time of filing ~~such annual~~ *its business entity information*
12 report it shall be the duty of each domestic corporation organized for profit
13 to pay to the secretary of state ~~an annual report~~ *a fee in an amount equal to*
14 ~~\$40~~ *\$80, plus the amount specified in rules and regulations of the*
15 *secretary multiplied by the number of tax periods included in the report.*

16 Sec. 12. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7504 is
17 hereby amended to read as follows: 17-7504. (a) Every corporation
18 organized not for profit shall make ~~an annual~~ *a written business entity*
19 *information* report ~~in writing~~ to the secretary of state, stating the
20 prescribed information concerning the corporation at the close of business
21 on the last day of its tax period next preceding the date of filing, but if a
22 corporation's tax period is other than the calendar year, it shall give notice
23 thereof to the secretary of state prior to December 31 of the year it
24 commences such tax period.

25 (b) ~~The reports~~ *report* shall be made on forms prescribed by the
26 secretary of state. ~~The report~~ *and* shall be filed *biennially, as determined*
27 *by the year that the corporation organized not for profit filed its formation*
28 *documents. A corporation organized not for profit that filed formation*
29 *documents in an even-numbered year shall file a report in each even-*
30 *numbered year. A corporation organized not for profit that filed formation*
31 *documents in an odd-numbered year shall file a report in each odd-*
32 *numbered year. The report shall be filed after the close of the*
33 *corporation's tax period but not later than on the 15th day of the sixth*
34 *month following the close of the taxable year.*

35 (c) The report shall contain the following information:

- 36 (1) The name of the corporation;
37 (2) the location of the principal office;
38 (3) the names and addresses of the president, secretary and treasurer
39 or equivalent of such officers, and the members of the governing body;
40 (4) the number of memberships or the number of shares of capital
41 stock issued; and
42 (5) if the corporation is a parent corporation holding more than 50%
43 equity ownership in any other business entity registered with the secretary

1 of state, the name and identification number of any such subsidiary
2 business entity.

3 ~~(b)~~(d) Every corporation subject to the provisions of this section
4 ~~which~~ *that* holds agricultural land, as defined in K.S.A. 17-5903, and
5 amendments thereto, within this state shall show the following additional
6 information on the report:

7 (1) The acreage and location listed by section, range, township and
8 county of each lot, tract or parcel of agricultural land in this state owned or
9 leased by or to the corporation;

10 (2) the purposes for which such agricultural land is owned or leased
11 and, if leased, to whom such agricultural land is leased;

12 (3) the value of the nonagricultural assets and the agricultural assets,
13 stated separately, owned and controlled by the corporation both within and
14 without the state of Kansas and where situated;

15 (4) the total number of stockholders or members of the corporation;

16 (5) the number of acres owned or operated by the corporation, the
17 number of acres leased by the corporation and the number of acres leased
18 to the corporation;

19 (6) the number of acres of agricultural land, held and reported in each
20 category under paragraph (5), stated separately, being irrigated; and

21 (7) whether any of the agricultural land held and reported under this
22 subsection was acquired after July 1, 1981.

23 ~~(e)~~(e) The report shall be executed in accordance with the provisions
24 of K.S.A. 2021 Supp. 17-7908 through 17-7910, and amendments thereto.
25 *The official title or position of the individual signing the report shall be*
26 *designated.* The fact that an individual's name is signed on such report
27 shall be prima facie evidence that such individual is authorized to sign the
28 report on behalf of the corporation; ~~however, the official title or position of~~
29 ~~the individual signing the report shall be designated.~~ This report shall be
30 subscribed by the person as true, under penalty of perjury.

31 ~~(d)~~(f) At the time of filing ~~such its business entity information~~ report,
32 each nonprofit corporation shall pay ~~an annual report~~ a fee in an amount
33 equal to ~~\$40~~ \$80, *plus the amount specified in rules and regulations of the*
34 *secretary for all tax years commencing after December 31, 2003*
35 *multiplied by the number of tax periods included in the report.*

36 Sec. 13. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7505 is
37 hereby amended to read as follows: 17-7505. (a) Every foreign corporation
38 organized for profit, or organized under the cooperative type statutes of the
39 state, territory or foreign country of incorporation, now or hereafter doing
40 business in this state, and owning or using a part or all of its capital in this
41 state, and subject to compliance with the laws relating to the admission of
42 foreign corporations to do business in Kansas, shall make ~~an annual~~ a
43 *written business entity information* report ~~in writing~~ to the secretary of

1 state, stating the prescribed information concerning the corporation at the
 2 close of business on the last day of its tax period next preceding the date of
 3 filing, but if a corporation operates on a fiscal year other than the calendar
 4 year it shall give written notice thereof to the secretary of state prior to
 5 December 31 of the year commencing such fiscal year.

6 (b) The report shall be made on a form prescribed by the secretary of
 7 state. ~~The report~~ and shall be filed *biennially, as determined by the year*
 8 *that the foreign corporation filed its foreign corporation application in*
 9 *Kansas. A foreign corporation that filed an application in an even-*
 10 *numbered year shall file a report in each even-numbered year. A foreign*
 11 *corporation that filed an application in an odd-numbered year shall file a*
 12 *report in each odd-numbered year. The report shall be filed after the close*
 13 *of the corporation's tax period but not later than* at the time prescribed by
 14 law for filing the corporation's annual Kansas income tax return.

15 (c) The report shall contain the following ~~facts~~ information:

16 (1) The name of the corporation and under the laws of what state or
 17 country it is incorporated;

18 (2) the location of its principal office;

19 (3) the names and addresses of the president, secretary, treasurer, or
 20 equivalent of such officers, and members of the board of directors;

21 (4) the number of shares of capital stock issued;

22 (5) the nature and kind of business in which the company is engaged;
 23 and

24 (6) if the corporation is a parent corporation holding more than 50%
 25 equity ownership in any other business entity registered with the secretary
 26 of state, the name and identification number of any such subsidiary
 27 business entity.

28 ~~(b)~~(d) Every corporation subject to the provisions of this section
 29 ~~which~~ that holds agricultural land, as defined in K.S.A. 17-5903, and
 30 amendments thereto, within this state shall show the following additional
 31 information on the report:

32 (1) The acreage and location listed by section, range, township and
 33 county of each lot, tract or parcel of agricultural land in this state owned or
 34 leased by or to the corporation;

35 (2) the purposes for which such agricultural land is owned or leased
 36 and, if leased, to whom such agricultural land is leased;

37 (3) the value of the nonagricultural assets and the agricultural assets,
 38 stated separately, owned and controlled by the corporation both within and
 39 without the state of Kansas and where situated;

40 (4) the total number of stockholders of the corporation;

41 (5) the number of acres owned or operated by the corporation, the
 42 number of acres leased by the corporation and the number of acres leased
 43 to the corporation;

1 (6) the number of acres of agricultural land, held and reported in each
2 category under paragraph (5), stated separately, being irrigated; and

3 (7) whether any of the agricultural land held and reported under this
4 subsection was acquired after July 1, 1981.

5 ~~(e)~~(e) The report shall be executed in accordance with the provisions
6 of K.S.A. 2021 Supp. 17-7908 through 17-7910, and amendments thereto.

7 *The official title or position of the individual signing the report shall be*
8 *designated.* The fact that an individual's name is signed on such report
9 shall be prima facie evidence that such individual is authorized to sign the
10 report on behalf of the corporation; ~~however, the official title or position of~~
11 ~~the individual signing the report shall be designated.~~ This report shall be
12 subscribed by the person as true, under penalty of perjury.

13 ~~(d)~~(f) At the time of filing its ~~annual business entity information~~
14 report, each such foreign corporation shall pay to the secretary of state ~~an~~
15 ~~annual report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount*
16 *specified in rules and regulations of the secretary multiplied by the*
17 *number of tax periods included in the report.*

18 Sec. 14. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7506 is
19 hereby amended to read as follows: 17-7506. (a) The secretary of state
20 shall charge each corporation a fee established pursuant to rules and
21 regulations, but not exceeding \$250, for issuing or filing and indexing
22 articles of incorporation of a for-profit or a foreign corporation application.

23 (b) The secretary of state shall charge each corporation a fee
24 established by rules and regulations, but not exceeding \$50, for articles of
25 incorporation of a nonprofit corporation.

26 (c) The secretary of state shall charge each corporation a fee
27 established by rules and regulations, but not exceeding \$150, for issuing or
28 filing and indexing any of the corporate documents described below:

29 (1) Certificate of extension, restoration, renewal or revival of articles
30 of incorporation;

31 (2) certificate of amendment of articles of incorporation, either prior
32 to or after payment of capital;

33 (3) certificate of designation of preferences;

34 (4) certificate of retirement of preferred stock;

35 (5) certificate of increase or reduction of capital;

36 (6) certificate of dissolution, either prior to or after beginning
37 business;

38 (7) certificate of revocation of voluntary dissolution;

39 (8) certificate of change of location of registered office and resident
40 agent;

41 (9) agreement of merger or consolidation;

42 (10) certificate of ownership and merger;

43 (11) certificate of extension, restoration, renewal or revival of a

- 1 certificate of authority of foreign corporation to do business in Kansas;
2 (12) change of resident agent or amendment by foreign corporation;
3 (13) certificate of withdrawal of foreign corporation;
4 (14) certificate of correction of any of the instruments designated in
5 this section;
6 (15) reservation of corporate name;
7 (16) restated articles of incorporation;
8 (17) ~~annual report~~ extension of a business entity information report;
9 and
10 (18) certificate of validation.

11 (d) The secretary of state shall charge each corporation a fee
12 established pursuant to rules and regulations but not exceeding \$50 for
13 issuing certified copies, photocopies, certificates of good standing and
14 certificates of fact; and any other certificate or filing for which a filing or
15 indexing fee is not prescribed by law.

16 (e) The secretary of state shall not charge fees for providing the
17 following information: Name of the corporation; address of its registered
18 office and the name of its resident agent; the amount of its authorized
19 capital stock; the state of its incorporation; date of filing of articles of
20 incorporation, foreign corporation application or ~~annual business entity~~
21 *information report*; and date of expiration.

22 (f) The secretary of state shall prescribe by rules and regulations any
23 fees required by this act.

24 Sec. 15. On and after January 1, 2023, K.S.A. 2021 Supp. 17-7507 is
25 hereby revived to read as follows: 17-7507. No corporation shall be
26 required to file its first annual report under this act, or pay any annual
27 report fee required to accompany such report, unless such corporation has
28 filed its articles of incorporation or foreign corporation application at least
29 six months prior to the last day of its tax period.

30 Sec. 16. On and after January 1, 2024, K.S.A. 17-7509 is hereby
31 amended to read as follows: 17-7509. (a) In case any corporation
32 organized for profit ~~which~~ that is required to file ~~an annual~~ a business
33 *entity information report* and pay the ~~annual report~~ required fee prescribed
34 by this act shall fail or neglect to make such report at the time prescribed,
35 such corporation shall be subject to a penalty of \$75. Such penalty and the
36 ~~annual fee or~~ fees required to be paid by this act may be recovered by an
37 action in the name of the state, and all moneys recovered shall be remitted
38 to the state treasurer in accordance with the provisions of K.S.A. 75-4215,
39 and amendments thereto. Upon receipt of each such remittance, the state
40 treasurer shall deposit the entire amount in the state treasury to the credit
41 of the state general fund.

42 (b) The penalties provided for in subsection (a) also may be assessed
43 against any corporation for the reason that such corporation has been

1 canceled or its existence forfeited pursuant to the Kansas general
2 corporation code. No penalty shall be charged pursuant to this subsection,
3 if a corporation is assessed penalties pursuant to grounds specified in
4 subsection (a).

5 Sec. 17. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7510 is
6 hereby amended to read as follows: 17-7510. (a) In addition to any other
7 penalties, the failure of any domestic corporation to file the ~~annual~~
8 *business entity information* report in accordance with the provisions of this
9 act or to pay the ~~annual report~~ fee provided for within 90 days of the time
10 for filing and paying the same or, in the case of ~~an annual~~ a report filing
11 and fee received by mail, postmarked within 90 days of the time for filing
12 and paying the same, shall work the forfeiture of the articles of
13 incorporation of such domestic corporation. Within 60 days after the date
14 such ~~annual~~ *business entity information* report and fee are due, the
15 secretary of state, by mail, shall notify any corporation that has failed to
16 submit such report and fee when due that its articles of incorporation shall
17 be forfeited unless the ~~annual~~ *business entity information* report is filed
18 and the fee is paid within 90 days from the date such report and fee were
19 due. Any corporation that fails to submit such report and fee within such
20 time shall forfeit its articles of incorporation, and the secretary of state
21 shall notify the attorney general that the articles of incorporation of such
22 corporation have been forfeited.

23 (b) In addition to any other penalties, the failure of any foreign
24 corporation to file the ~~annual~~ *business entity information* report or pay the
25 ~~annual report~~ fee prescribed by this act within 90 days from the time
26 provided for filing and paying the same or, in the case of ~~an annual~~ a
27 report filing and fee received by mail, postmarked within 90 days of the
28 time for filing and paying the same, shall work a forfeiture of its right or
29 authority to do business in this state. Within 60 days after the date such
30 ~~annual~~ *business entity information* report and fee are due, the secretary of
31 state, by mail, shall notify any corporation that has failed to submit such
32 report and fee when due that its authority to do business in this state shall
33 be forfeited unless the ~~annual~~ *business entity information* report and fee is
34 paid within 90 days from the date such report and fee were due. Any
35 corporation that fails to submit such report and fees within such time shall
36 forfeit its authority to do business in this state, and the secretary of state
37 shall publish a notice of such forfeiture in the Kansas register.

38 (c) This section shall not be construed to restrict the state from
39 invoking any other remedies provided by law.

40 (d) The secretary of state shall not issue certificates of good standing
41 for any corporation that has failed to file its ~~annual~~ *business entity*
42 *information* report or pay its ~~annual report~~ the required fee.

43 Sec. 18. On and after January 1, 2024, K.S.A. 17-7511 is hereby

1 amended to read as follows: 17-7511. Pursuant to the authority granted by
2 ~~subsection (e) of K.S.A. 79-3234(c)~~, the secretary of state, as a legal
3 representative of the state, may inspect the annual Kansas income tax
4 ~~return~~ returns of any corporation for the purpose of verifying any
5 information contained in the ~~annual~~ business entity information report filed
6 by such corporation with the secretary of state pursuant to this act. The
7 secretary of state shall not disclose any information obtained from any
8 such ~~return~~ returns, except as may be necessary to commence an
9 appropriate administrative or judicial proceeding against the corporation
10 filing the same, and shall disclose to the secretary of revenue any
11 information and allow the secretary to inspect as necessary the ~~annual~~
12 business entity information report for purposes of verifying any
13 information contained on the franchise tax ~~return~~ returns as provided in
14 K.S.A. 79-5401, and amendments thereto.

15 Sec. 19. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7512 is
16 hereby amended to read as follows: 17-7512. The provisions of this act
17 relating to the filing of ~~annual~~ business entity information reports and the
18 payment of ~~annual~~ report fees shall not apply to banking, insurance or
19 savings and loan corporations, credit unions, any firemen's relief
20 association under the jurisdiction and supervision of the insurance
21 commissioner or to Kansas venture capital, inc. or venture capital
22 companies certified by the secretary of commerce pursuant to article 83 of
23 chapter 74 of the Kansas Statutes Annotated, and amendments thereto.

24 Sec. 20. On and after January 1, 2024, K.S.A. 2021 Supp. 17-76,136
25 is hereby amended to read as follows: 17-76,136. (a) The secretary of state
26 shall charge each domestic and foreign limited liability company the
27 following fees:

28 (1) A fee of \$20 for issuing or filing and indexing any of the
29 following documents:

30 (A) A certificate of amendment of articles of organization;

31 (B) restated articles of organization;

32 (C) a certificate of cancellation, which fee shall be multiplied by the
33 number of series of the limited liability company named in the certificate
34 of cancellation;

35 (D) a certificate of change of location of registered office or resident
36 agent;

37 (E) a certificate of merger or consolidation;

38 (F) a certificate of division; and

39 (G) any certificate, affidavit, agreement or any other paper provided
40 for in the Kansas revised limited liability company act, for which no
41 different fee is specifically prescribed;

42 (2) a fee of \$7.50 for each certified copy plus a fee per page, if the
43 secretary of state supplies the copies, in an amount fixed by the secretary

1 of state and approved by the director of accounts and reports for copies of
2 corporate documents under K.S.A. 45-204, and amendments thereto;

3 (3) a fee of \$7.50 for each certificate of good standing, including a
4 certificate of good standing for a series of a limited liability company, and
5 certificate of fact issued by the secretary of state;

6 (4) a fee of \$5 for a report of record search, but furnishing the
7 following information shall not be considered a record search and no
8 charge shall be made therefor: Name of the limited liability company and
9 the address of its registered office; name and address of the resident agent;
10 the state of the limited liability company's formation; the date of filing of
11 its articles of organization or ~~annual report~~ *business entity information*
12 *report*; and date of expiration; and

13 (5) for photocopies of instruments on file or prepared by the secretary
14 of state's office and which are not certified, a fee per page in an amount
15 fixed by the secretary of state and approved by the director of accounts and
16 reports for copies of corporate documents under K.S.A. 45-204, and
17 amendments thereto.

18 (b) Every limited liability company hereafter formed in this state shall
19 pay to the secretary of state, at the time of filing its articles of organization,
20 an application and recording fee of \$150.

21 (c) At the time of filing its application to do business, every foreign
22 limited liability company shall pay to the secretary of state an application
23 and recording fee of \$150.

24 (d) The fee for filing a certificate of reinstatement shall be the same
25 as that prescribed by K.S.A. 17-7506, and amendments thereto, for filing a
26 certificate of reinstatement of a corporation's articles of incorporation.

27 Sec. 21. On and after January 1, 2024, K.S.A. 2021 Supp. 17-76,139
28 is hereby amended to read as follows: 17-76,139. (a) Every limited
29 liability company organized and on and after July 1, 2020, each series
30 thereof formed or in existence under the laws of this state shall make ~~an~~
31 ~~annual~~ *a written business entity information report* ~~in writing~~ to the
32 secretary of state, stating the prescribed information concerning the limited
33 liability company or series, as applicable, at the close of business on the
34 last day of its tax period next preceding the date of filing. If the limited
35 liability company's or series' tax period is other than the calendar year, it
36 shall give notice of its different tax period in writing to the secretary of
37 state prior to December 31 of the year it commences the different tax
38 period.

39 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
40 *year that the limited liability company or series filed its formation*
41 *documents. A limited liability company or series that filed formation*
42 *documents in an even-numbered year shall file a report in each even-*
43 *numbered year. A limited liability company or series that filed formation*

1 documents in an odd-numbered year shall file a report in each odd-
2 numbered year. It is permissible to file at one time the biennial report
3 information for more than one limited liability company or series,
4 regardless of whether the formation documents were filed in an even-
5 numbered or odd-numbered year; provided that all the reports shall be
6 filed in the first year a biennial report is due under this law and in odd-
7 numbered years thereafter. The report shall be filed after the close of the
8 limited liability company's tax period or series' tax period but not later
9 than at the time prescribed by law for filing the limited liability company's
10 or series' annual Kansas income tax return, or if applicable law does not
11 prescribe a time for filing an annual Kansas income tax return for a series,
12 the ~~annual~~ report for the series shall be filed at, and for purposes of this
13 section its tax period shall be deemed to be, the time prescribed by law for
14 filing the annual Kansas income tax return for the limited liability
15 company to which the series is associated.

16 (c) The ~~annual~~ report shall be made on a form prescribed by the
17 secretary of state. ~~The report and~~ shall contain the following information
18 for each limited liability company or series:

19 (1) The name of the limited liability company or series, as applicable;
20 and

21 (2) a list of the members owning at least 5% of the capital of the
22 limited liability company or series, as applicable, with the post office
23 address of each.

24 ~~(b)~~(d) (1) Every foreign limited liability company shall make ~~an~~
25 ~~annual~~ a written business entity information report ~~in writing~~ to the
26 secretary of state, stating the prescribed information concerning the limited
27 liability company at the close of business on the last day of its tax period
28 next preceding the date of filing. If the limited liability company's tax
29 period is other than the calendar year, it shall give notice in writing of its
30 different tax period to the secretary of state prior to December 31 of the
31 year it commences the different tax period.

32 (2) The ~~annual~~ report shall be filed *biennially, as determined by the*
33 *year that the foreign limited liability company filed its foreign limited*
34 *liability company application. A foreign limited liability company that*
35 *filed its application in an even-numbered year shall file a report in each*
36 *even-numbered year. A foreign limited liability company that filed its*
37 *application in an odd-numbered year shall file a report in each odd-*
38 *numbered year. The report shall be filed after the close of the foreign*
39 *limited liability company's tax period but not later than at the time*
40 *prescribed by law for filing the limited liability company's annual Kansas*
41 *income tax return.*

42 (3) The ~~annual~~ report shall be made on a form prescribed by the
43 secretary of state. ~~The report and~~ shall contain the name of the limited

1 liability company.

2 ~~(e)~~(e) The ~~annual business entity information~~ report required by this
3 section shall be executed by one or more authorized persons, and filed
4 with the secretary of state. The execution of such ~~annual~~ report by a person
5 who is authorized by the Kansas revised limited liability company act to
6 execute such ~~annual~~ report, upon filing such ~~annual~~ report with the
7 secretary of state, constitutes an oath or affirmation, under penalties of
8 perjury that, to the best of such person's knowledge and belief, the facts
9 stated therein are true.

10 (f) At the time of filing the *business entity information* report, ~~the~~
11 ~~each~~ limited liability company or series shall pay to the secretary of state
12 ~~an annual report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount*
13 *specified in rules and regulations of the secretary multiplied by the*
14 *number of tax periods included in the report.*

15 ~~(d)~~(g) The provisions of K.S.A. 17-7509, and amendments thereto,
16 relating to penalties for failure of a corporation to file ~~an annual business~~
17 *entity information* report or pay the required ~~annual report~~ fee, and the
18 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
19 penalties for failure of a corporation to file ~~an annual business entity~~
20 *information* report or pay the required ~~annual report~~ fee, shall be
21 applicable to the articles of organization of any domestic limited liability
22 company, the certificate of designation of any series thereof, or to the
23 authority of any foreign limited liability company which fails to file its
24 ~~annual business entity information~~ report or pay the ~~annual report~~ fee
25 within 90 days of the time prescribed in this section for filing and paying
26 the same or, in the case of ~~an annual~~ a report filing and fee received by
27 mail, postmarked within 90 days of the time for filing and paying the
28 same. Whenever the articles of organization of a domestic limited liability
29 company, the certificate of designation of a series thereof, or the authority
30 of any foreign limited liability company are forfeited or canceled for
31 failure to file ~~an annual business entity information~~ report or to pay the
32 required ~~annual report~~ fee, the domestic limited liability company or the
33 authority of a foreign limited liability company may be reinstated by filing
34 a certificate of reinstatement, pursuant to K.S.A. 2021 Supp. 17-76,146,
35 and amendments thereto, and the certificate of designation may be
36 reinstated by filing a certificate of reinstatement, pursuant to K.S.A. 2021
37 Supp. 17-76,147, and amendments thereto, and in each case, paying to the
38 secretary of state all fees, including any penalties thereon, due to the state.

39 ~~(e)~~ No limited liability company or series shall be required to file its
40 first annual report under the Kansas revised limited liability company act,
41 or pay any annual report fee required to accompany such report, unless
42 such limited liability company has filed its articles of organization or
43 application for authority or the certificate of designation of such series has

1 been filed at least six months prior to the last day of its tax period.

2 (f)(h) All copies of applications for extension of the time for filing
3 income tax returns submitted to the secretary of state pursuant to law shall
4 be maintained by the secretary of state in a confidential file and shall not
5 be disclosed to any person except as authorized pursuant to the provisions
6 of K.S.A. 79-3234, and amendments thereto, a proper judicial order, or
7 subsection (g). All copies of such applications shall be preserved for one
8 year and thereafter until the secretary of state orders that they be
9 destroyed.

10 (g)(i) A copy of such application shall be open to inspection by or
11 disclosure to any person who was a member of such limited liability
12 company or series during any part of the period covered by the extension.

13 Sec. 22. On and after January 1, 2024, K.S.A. 2021 Supp. 17-76,146
14 is hereby amended to read as follows: 17-76,146. (a) A domestic limited
15 liability company whose articles of organization or a foreign limited
16 liability company whose authority to do business has been canceled or
17 forfeited pursuant to K.S.A. 2021 Supp. 17-7926(b), 17-7929(b) or 17-
18 7934(f), and amendments thereto, or whose articles of organization or
19 authority to do business has been forfeited pursuant to K.S.A. 17-
20 76,139(d), and amendments thereto, may be reinstated by filing with the
21 secretary of state a certificate of reinstatement accompanied by the
22 payment of the fee required by K.S.A. 17-76,136(d), and amendments
23 thereto, and payment of the ~~annual business entity information~~ report fees
24 due under K.S.A. 17-76,139(c), and amendments thereto, ~~and all penalties~~
25 ~~and interest thereon due at the time of the cancellation or forfeiture of its~~
26 ~~articles of organization or authority to do business for all past due reports~~
27 ~~for the immediately preceding 10 years, and payment to the secretary of~~
28 ~~state an amount equal to all fees and any penalties due.~~ The certificate of
29 reinstatement shall set forth:

30 (1) The name of the limited liability company at the time its articles
31 of organization or authority to do business was canceled or forfeited and, if
32 such name is not available at the time of reinstatement, the name under
33 which the limited liability company is to be reinstated;

34 (2) the address of the limited liability company's registered office in
35 the state of Kansas and the name and address of the limited liability
36 company's resident agent in the state of Kansas;

37 (3) a statement that the certificate of reinstatement is filed by one or
38 more persons authorized to execute and file the certificate of reinstatement
39 to reinstate the limited liability company; and

40 (4) any other matters the persons executing the certificate of
41 reinstatement determine to include therein.

42 (b) The certificate of reinstatement shall be deemed to be an
43 amendment to the articles of organization or application for registration of

1 the limited liability company, and the limited liability company shall not
2 be required to take any further action to amend its articles of organization
3 or application for registration under K.S.A. 17-7674 or K.S.A. 2021 Supp.
4 17-7935, and amendments thereto, with respect to the matters set forth in
5 the certificate of reinstatement.

6 (c) Upon the filing of a certificate of reinstatement, a limited liability
7 company and all series thereof that have been formed and whose
8 certificate of designation has not been canceled prior to the cancellation of
9 the articles of organization shall be reinstated with the same force and
10 effect as if its articles of organization or authority to do business had not
11 been canceled or forfeited pursuant to K.S.A. 17-76,139(d) or K.S.A. 2021
12 Supp. 17-7926(b), 17-7929(b) or 17-7934(f), and amendments thereto.
13 Such reinstatement shall validate all contracts, acts, matters and things
14 made, done and performed by the limited liability company, its members,
15 managers, employees and agents during the time when its articles of
16 organization or authority to do business was canceled or forfeited pursuant
17 to K.S.A. 17-76,139(d) or K.S.A. 2021 Supp. 17-7926(b), 17-7929(b) or
18 17-7934(f), and amendments thereto, with the same force and effect and to
19 all intents and purposes as if the articles of organization or authority to do
20 business had remained in full force and effect. All real and personal
21 property, and all rights and interests, which belonged to the limited
22 liability company at the time its articles of organization or authority to do
23 business was canceled or forfeited pursuant to K.S.A. 17-76,139(d) or
24 K.S.A. 2021 Supp. 17-7926(b), 17-7929(b) or 17-7934(f), and
25 amendments thereto, or which were acquired by the limited liability
26 company following the cancellation or forfeiture of its articles of
27 organization or authority to do business pursuant to K.S.A. 17-76,139(d)
28 or K.S.A. 2021 Supp. 17-7926(b), 17-7929(b) or 17-7934(f), and
29 amendments thereto, and which were not disposed of prior to the time of
30 its reinstatement, shall be vested in the limited liability company after its
31 reinstatement as fully as they were held by the limited liability company
32 at, and after, as the case may be, the time its articles of organization or
33 authority to do business was canceled or forfeited pursuant to K.S.A. 17-
34 76,139(d) or K.S.A. 2021 Supp. 17-7926(b), 17-7929(b) or 17-7934(f),
35 and amendments thereto. After its reinstatement, the limited liability
36 company shall be as exclusively liable for all contracts, acts, matters and
37 things made, done or performed in its name and on its behalf by its
38 members, managers, employees and agents prior to its reinstatement as if
39 its articles of organization or authority to do business had at all times
40 remained in full force and effect.

41 Sec. 23. On and after January 1, 2024, K.S.A. 2021 Supp. 17-76,147
42 is hereby amended to read as follows: 17-76,147. (a) A series whose
43 certificate of designation has been canceled pursuant to K.S.A. 17-76,139,

1 and amendments thereto, may be reinstated by filing in the office of the
2 secretary of state a certificate of reinstatement accompanied by the
3 payment of the fee required by K.S.A. 17-76,136(d), and amendments
4 thereto, and payment of the ~~annual business entity information~~ report fee
5 due under K.S.A. 17-76,139(e), and amendments thereto, ~~and all penalties~~
6 ~~and interest thereon due at the time of the cancellation of its certificate of~~
7 ~~designation for all past due reports for the immediately preceding 10~~
8 ~~years, and payment to the secretary of state an amount equal to all fees~~
9 ~~and any penalties due.~~ The certificate of reinstatement shall set forth:

10 (1) The name of the limited liability company at the time the
11 certificate of designation was canceled and, if such name has changed, the
12 name of the limited liability company at the time of reinstatement of the
13 series;

14 (2) the name of the series at the time the certificate of designation
15 was canceled and, if such name is not available at the time of
16 reinstatement, the name under which the series is to be reinstated;

17 (3) a statement that the certificate of reinstatement is filed by one or
18 more persons authorized to execute and file the certificate of reinstatement
19 to reinstate the series; and

20 (4) any other matters the persons executing the certificate of
21 reinstatement determine to include therein.

22 (b) The certificate of reinstatement shall be deemed to be an
23 amendment to the certificate of designation, and no further actions shall be
24 required to amend its certificate of designation under K.S.A. 2021 Supp.
25 17-76,143(d)(3), and amendments thereto, with respect to the matters set
26 forth in the certificate of reinstatement.

27 (c) Upon the filing of a certificate of reinstatement, a series shall be
28 reinstated with the same force and effect as if its certificate of designation
29 had not been canceled pursuant to K.S.A. 17-76,139, and amendments
30 thereto. Such reinstatement shall validate all contracts, acts, matters and
31 things made, done and performed by the series, its members, managers,
32 employees and agents during the time when its certificate of designation
33 was canceled pursuant to K.S.A. 17-76,139, and amendments thereto, with
34 the same force and effect and to all intents and purposes as if the certificate
35 of designation had remained in full force and effect. All real and personal
36 property, and all rights and interests, that belonged to the series at the time
37 its certificate of designation was canceled pursuant to K.S.A. 17-76,139,
38 and amendments thereto, or were acquired by the series following the
39 cancellation of its certificate of designation pursuant to K.S.A. 17-76,139,
40 and amendments thereto, and were not disposed of prior to the time of its
41 reinstatement, shall be vested in the series after its reinstatement as fully as
42 they were held by the series at, and after, as the case may be, the time its
43 certificate of designation was canceled pursuant to K.S.A. 17-76,139, and

1 amendments thereto. After its reinstatement, the series shall be as
 2 exclusively liable for all contracts, acts, matters and things made, done or
 3 performed in its name and on its behalf by its members, managers,
 4 employees and agents prior to its reinstatement as if its certificate of
 5 designation had at all times remained in full force and effect.

6 ~~(d) This section shall take effect on and after July 1, 2020.~~

7 Sec. 24. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7903 is
 8 hereby amended to read as follows: 17-7903. The following documents
 9 related to corporations shall be filed with the secretary of state:

10 (a) For-profit filings:

11 (1) For-profit articles of incorporation as set forth in K.S.A. 17-6002,
 12 and amendments thereto;

13 (2) professional association articles of incorporation as set forth in
 14 K.S.A. 17-2709, 17-2711 and 17-6002, and amendments thereto;

15 (3) close corporation articles of incorporation as set forth in K.S.A.
 16 17-6426, 17-7201, 17-7202 and 17-7203, and amendments thereto;

17 (4) public benefit corporation articles of incorporation as set forth in
 18 K.S.A. 2021 Supp. 17-72a02, and amendments thereto;

19 (5) certificate of validation as set forth in K.S.A. 2021 Supp. 17-
 20 6428, and amendments thereto;

21 (6) foreign for-profit application for authority as set forth in K.S.A.
 22 2021 Supp. 17-7931 ~~and K.S.A. 17-7307 through 17-7510~~, and
 23 amendments thereto;

24 (7) for-profit ~~annual~~ *business entity information* report as set forth in
 25 K.S.A. 17-7503 and 17-7505, and amendments thereto;

26 (8) professional association ~~annual~~ *business entity information* report
 27 as set forth in K.S.A. 17-2718, and amendments thereto;

28 (9) for-profit certificate of amendment as set forth in K.S.A. 17-6003,
 29 17-6401, 17-6601, 17-6602 and 17-6603, and amendments thereto;

30 (10) amendment to professional associations as set forth in K.S.A.
 31 17-2709, and amendments thereto;

32 (11) foreign for-profit corporation certificate of amendment as set
 33 forth in K.S.A. 17-7302, and amendments thereto;

34 (12) restated articles of incorporation as set forth in K.S.A. 17-6605,
 35 and amendments thereto;

36 (13) change of registered office or resident agent as set forth in
 37 K.S.A. 2021 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
 38 amendments thereto;

39 (14) for-profit certificate of correction as set forth in K.S.A. 2021
 40 Supp. 17-7912, and amendments thereto;

41 (15) mergers as set forth in K.S.A. 17-6701 through 17-6708, and
 42 amendments thereto;

43 (16) foreign mergers as set forth in K.S.A. 17-7302, and amendments

1 thereto;

2 (17) certificate of amendment or termination of merger as set forth in
3 K.S.A. 17-6701, and amendments thereto;

4 (18) foreign corporation merger as set forth in K.S.A. 17-7302, and
5 amendments thereto;

6 (19) certificate of reinstatement as set forth in K.S.A. 17-7002, and
7 amendments thereto;

8 (20) certificate of dissolution prior to commencing business as set
9 forth in K.S.A. 17-6803, and amendments thereto;

10 (21) certificate of dissolution by stockholder's meeting as set forth in
11 K.S.A. 17-6804, and amendments thereto;

12 (22) certificate of dissolution by written consent as set forth in K.S.A.
13 17-6804, and amendments thereto;

14 (23) foreign certificate of cancellation as set forth in K.S.A. 2021
15 Supp. 17-7936, and amendments thereto; and

16 (24) certificate of revocation of dissolution as set forth in K.S.A. 17-
17 7001, and amendments thereto.

18 (b) Not-for-profit filings:

19 (1) Not-for-profit articles of incorporation as set forth in K.S.A. 17-
20 6002, and amendments thereto;

21 (2) foreign not-for-profit application for authority as set forth in
22 K.S.A. 2021 Supp. 17-7931, and amendments thereto;

23 (3) not-for-profit ~~annual~~ *business entity information* report as set forth
24 in K.S.A. 17-7504, and amendments thereto;

25 (4) not-for-profit certificate of amendment as set forth in K.S.A. 17-
26 6602, and amendments thereto;

27 (5) not-for-profit certificate of correction as set forth in K.S.A. 2021
28 Supp. 17-7912, and amendments thereto;

29 (6) not-for-profit change of registered office or resident agent as set
30 forth in K.S.A. 2021 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
31 amendments thereto;

32 (7) not-for-profit certificate of reinstatement as set forth in K.S.A. 17-
33 7002, and amendments thereto; and

34 (8) certificate of dissolution as set forth in K.S.A. 17-6803, 17-6804
35 and 17-6805, and amendments thereto.

36 Sec. 25. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7904 is
37 hereby amended to read as follows: 17-7904. The following documents
38 related to limited liability companies shall be filed with the secretary of
39 state:

40 (a) Articles of organization as set forth in K.S.A. 17-7673 and K.S.A.
41 2021 Supp. 17-7673a, and amendments thereto;

42 (b) professional articles of organization as set forth in K.S.A. 17-7673
43 and K.S.A. 2021 Supp. 17-7673a, and amendments thereto;

- 1 (c) series limited liability company articles of organization as set
 2 forth in K.S.A. 2021 Supp. 17-76,143, and amendments thereto;
- 3 (d) foreign limited liability company application for authority as set
 4 forth in K.S.A. 2021 Supp. 17-7931, and amendments thereto;
- 5 (e) foreign series limited liability company application for admission
 6 to transact business as set forth in K.S.A. 2021 Supp. 17-7931 and K.S.A.
 7 2021 Supp. 17-76,143, and amendments thereto;
- 8 (f) ~~annual~~*business entity information* report as set forth in K.S.A. 17-
 9 76,139, and amendments thereto;
- 10 (g) certificate of amendment as set forth in K.S.A. 17-7674 and
 11 K.S.A. 2021 Supp. 17-7674a and 17-76,143, and amendments thereto;
- 12 (h) restated articles of organization as set forth in K.S.A. 17-7680,
 13 and amendments thereto;
- 14 (i) series certificate of designation as set forth in K.S.A. 2021 Supp.
 15 17-76,143, and amendments thereto;
- 16 (j) certificate of amendment or termination to certificate of merger or
 17 consolidation as set forth in K.S.A. 17-7681 or K.S.A. 2021 Supp. 17-
 18 76,143a, and amendments thereto;
- 19 (k) certificate of correction as set forth in K.S.A. 2021 Supp. 17-
 20 7912, and amendments thereto;
- 21 (l) foreign certificate of correction as set forth in K.S.A. 2021 Supp.
 22 17-7912, and amendments thereto;
- 23 (m) change of registered office or resident agent as set forth in K.S.A.
 24 2021 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and amendments
 25 thereto;
- 26 (n) mergers or consolidations as set forth in K.S.A. 17-7681 or
 27 K.S.A. 2021 Supp. 17-76,143a, and amendments thereto;
- 28 (o) reinstatement as set forth in K.S.A. 17-76,139 or K.S.A. 2021
 29 Supp. 17-76-147, and amendments thereto;
- 30 (p) certificate of cancellation as set forth in K.S.A. 17-7675 or K.S.A.
 31 2021 Supp. 17-76,143, and amendments thereto;
- 32 (q) foreign cancellation of registration as set forth in K.S.A. 2021
 33 Supp. 17-7936, and amendments thereto; and
- 34 (r) certificate of division as set forth in K.S.A. 2021 Supp. 17-7685a,
 35 and amendments thereto.
- 36 Sec. 26. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7905 is
 37 hereby amended to read as follows: 17-7905. ~~(a)~~ The following documents
 38 related to limited partnerships shall be filed with the secretary of state:
- 39 ~~(+)~~*(a)* Certificate of limited partnership as set forth in K.S.A. 56-
 40 1a151, and amendments thereto;
- 41 ~~(-)~~*(b)* foreign application for registration as set forth in K.S.A. 2021
 42 Supp. 17-7931, and amendments thereto;
- 43 ~~(-)~~*(c)* ~~annual~~ *business entity information* report as set forth in K.S.A.

- 1 56-1a606 and 56-1a607, and amendments thereto;
- 2 ~~(4)~~(d) amendment to certificate as set forth in K.S.A. 56-1a152, and
- 3 amendments thereto;
- 4 ~~(5)~~(e) restated certificate as set forth in K.S.A. 56-1a160, and
- 5 amendments thereto;
- 6 ~~(6)~~(f) change of registered office or resident agent as set forth in
- 7 K.S.A. 2021 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
- 8 amendments thereto;
- 9 ~~(7)~~(g) foreign certificate of amendment or correction as set forth in
- 10 K.S.A. 2021 Supp. 17-7912, and amendments thereto;
- 11 ~~(8)~~(h) mergers as set forth in K.S.A. 2021 Supp. 17-78,201 through
- 12 17-78,206, and amendments thereto;
- 13 ~~(9)~~(i) reinstatement as set forth in K.S.A. 56-1a606 and 56-1a607,
- 14 and amendments thereto;
- 15 ~~(10)~~(j) cancellation as set forth in K.S.A. 56-1a153, and amendments
- 16 thereto; and
- 17 ~~(11)~~(k) foreign cancellation of registration as set forth in K.S.A. 2021
- 18 Supp. 17-7936, and amendments thereto.
- 19 ~~(b) This section shall take effect on and after January 1, 2015.~~
- 20 Sec. 27. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7906 is
- 21 hereby amended to read as follows: 17-7906. ~~(a)~~ The following documents
- 22 related to limited liability partnerships shall be filed with the secretary of
- 23 state:
- 24 ~~(1)~~(a) Statement of qualification as set forth in K.S.A. 56a-1001, and
- 25 amendments thereto;
- 26 ~~(2)~~(b) foreign statement of qualification as set forth in K.S.A. 2021
- 27 Supp. 17-7931, and amendments thereto;
- 28 ~~(3)~~(c) ~~annual~~ *business entity information* report as set forth in K.S.A.
- 29 56a-1201 and 56a-1202, and amendments thereto;
- 30 ~~(4)~~(d) amendment to statement of qualification as set forth in K.S.A.
- 31 56a-105, and amendments thereto;
- 32 ~~(5)~~(e) change of registered office or resident agent as set forth in
- 33 K.S.A. 2021 Supp. 17-7926, 17-7927, 17-7928 and 17-7929, and
- 34 amendments thereto;
- 35 ~~(6)~~(f) reinstatement as set forth in K.S.A. 56a-1201, and amendments
- 36 thereto;
- 37 ~~(7)~~(g) cancellation of statement as set forth in K.S.A. 56a-105, and
- 38 amendments thereto;
- 39 ~~(8)~~(h) statement of denial as set forth in K.S.A. 56a-304, and
- 40 amendments thereto;
- 41 ~~(9)~~(i) statement of dissociation as set forth in K.S.A. 56a-704, and
- 42 amendments thereto;
- 43 ~~(10)~~(j) statement of dissolution as set forth in K.S.A. 56a-105 and

1 56a-805, and amendments thereto; and

2 ~~(H)(k)~~ statement of merger as set forth in K.S.A. 56a-907, and
3 amendments thereto.

4 ~~(b) This section shall take effect on and after January 1, 2015.~~

5 Sec. 28. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7910 is
6 hereby amended to read as follows: 17-7910. When any document is
7 required by this act to be filed with the secretary of state, such requirement
8 means that:

9 (a) The original signed document shall be delivered to the office of
10 the secretary of state, where the document shall be recorded in an
11 electronic medium. Any signature on documents authorized to be filed
12 with the secretary of state under the provisions of this act may be a
13 facsimile, a conformed signature, an electronic signature or an
14 electronically transmitted signature;

15 (b) all taxes and fees authorized by law to be collected by the
16 secretary of state in connection with the filing of the document shall be
17 tendered to the secretary of state;

18 (c) upon delivery of the document, and upon tender of the required
19 taxes and fees, the secretary of state shall, if the secretary of state finds
20 that the document conforms to law, certify that the document has been
21 filed in the office of the secretary of state by endorsing upon the
22 electronically recorded document the word "Filed" and the date and hour
23 of its filing. This endorsement is the "filing date" of the document and is
24 conclusive of the date and time of its filing in the absence of actual fraud.
25 The secretary of state shall thereupon record the endorsed document in an
26 electronic medium and that electronic document shall become the original
27 document; and

28 (d) the secretary of state shall return a certified copy of the recorded
29 document to the person who filed the document or that person's
30 representative, except this provision shall not apply to ~~annual~~ *business*
31 *entity information* reports.

32 (e) A person who executes any document required by this act to be
33 filed with the secretary of state, including a person who executes such
34 document as an agent or fiduciary, shall not be required to exhibit evidence
35 of the person's authority as a prerequisite to filing such documents with the
36 secretary of state.

37 Sec. 29. On and after January 1, 2024, K.S.A. 2021 Supp. 17-7936 is
38 hereby amended to read as follows: 17-7936. (a) A foreign covered entity
39 may cancel its registration by filing with the secretary of state a certificate
40 of cancellation executed by an authorized person, together with a fee if
41 authorized by law, as provided by K.S.A. 2021 Supp. 17-7910, and
42 amendments thereto, and the ~~annual~~ *business entity information* report and
43 ~~annual report required fee for any tax period which has ended~~. The

1 certificate of cancellation shall state that the foreign covered entity
 2 surrenders its authority to transact business in the state of Kansas and
 3 withdraws therefrom. The certificate of cancellation shall provide the
 4 address to which the secretary of state may mail any process against the
 5 foreign covered entity that may be served upon the secretary of state. A
 6 cancellation does not terminate the authority of the secretary of state to
 7 accept service of process on the foreign covered entity with respect to
 8 causes of action arising out of the doing of business in the state of Kansas.

9 (b) The filing of a certificate of dissolution or certificate of
 10 cancellation issued by the proper official of the state or other jurisdiction
 11 in which a foreign covered entity is organized shall have the same effect as
 12 the filing of a certificate of cancellation as provided for in subsection (a)
 13 above.

14 ~~(e) This section shall take effect on and after January 1, 2015.~~

15 Sec. 30. On and after January 1, 2024, K.S.A. 53-601 is hereby
 16 amended to read as follows: 53-601. (a) Except as provided by subsection
 17 (b), whenever a law of this state or any rules and regulations, order or
 18 requirement adopted or issued thereunder requires or permits a matter to
 19 be supported, evidenced, established or proved by the sworn written
 20 declaration, verification, certificate, statement, oath or affidavit of a
 21 person, such matter may be supported, evidenced, established or proved
 22 with the same force and effect by the unsworn written declaration,
 23 verification, certificate or statement dated and subscribed by the person as
 24 true, under penalty of perjury, in substantially the following form:

25 (1) If executed outside this state: "I declare (or verify, certify or state)
 26 under penalty of perjury under the laws of the state of Kansas that the
 27 foregoing is true and correct. Executed on (date).

28 _____(Signature)"

29 (2) If executed in this state: "I declare (or verify, certify or state)
 30 under penalty of perjury that the foregoing is true and correct. Executed on
 31 (date).

32 _____(Signature)"

33 (b) The provisions of subsection (a) do not apply to the following
 34 oaths:

35 (1) An oath of office.

36 (2) An oath required to be taken before a specified official other than
 37 a notary public.

38 (3) An oath of a testator or witnesses as required for wills, codicils,
 39 revocations of wills and codicils and republications of wills and codicils.

40 (c) A notarial act performed prior to the effective date of this act is
 41 not affected by this act. Nothing in this act diminishes or invalidates the
 42 recognition accorded to notarial acts by other laws of this state or rules and
 43 regulations adopted thereunder.

1 (d) On or after July 1, 1989, whenever an officer or partner listed in
2 ~~subsection (b) of K.S.A. 17-2718(d), subsection (e) of K.S.A. 17-7503(e),~~
3 ~~subsection (e) of K.S.A. 17-7504(e), subsection (e) of K.S.A. 17-7505(e),~~
4 ~~subsection (d) of K.S.A. 56-1a606 or subsection (d) of (e) or K.S.A. 56-~~
5 ~~1a607(e),~~ and amendments thereto, is required to execute a report before a
6 notary or swear an oath before an officer authorized to administer oaths, in
7 lieu thereof, such person may execute an unsworn declaration if such
8 declaration is in substantial conformity with subsections (a), (b) and (c) of
9 this section.

10 (e) On or after July 1, 1990, subsections (a), (b) and (c) of this section
11 shall have general application.

12 Sec. 31. On and after January 1, 2024, K.S.A. 56-1a605 is hereby
13 amended to read as follows: 56-1a605. (a) The secretary of state shall
14 charge each domestic and foreign limited partnership the following fees:

15 (1) For issuing or filing and indexing any of the documents described
16 below, a fee of \$20:

17 (A) A certificate of amendment of limited partnership;

18 (B) a restated certificate of limited partnership;

19 (C) a certificate of cancellation of limited partnership;

20 (D) a certificate of change of location of registered office or
21 registered agent; and

22 (E) any certificate, affidavit, agreement or any other paper provided
23 for in this act, for which no different fee is specifically prescribed;

24 (2) for certified copies, a fee of \$7.50 for each copy certified plus a
25 fee per page, if the secretary of state supplies the copies, in an amount
26 fixed by the secretary of state and approved by the director of accounts and
27 reports for copies of corporate documents under K.S.A. 45-204 and
28 amendments thereto;

29 (3) for each certificate of good standing and certificate of fact issued
30 by the secretary of state, a fee of \$7.50;

31 (4) for a report of record search, a fee of \$5, but furnishing the
32 following information shall not be considered a record search and no
33 charge shall be made therefor: name of the limited partnership and the
34 address of its registered office; name and address of the resident agent; the
35 state of the limited partnership's formation; the date of filing of its
36 certificate of limited partnership or ~~annual~~ *business entity information*
37 report; and date of expiration; and

38 (5) for photocopies of instruments on file or prepared by the secretary
39 of state's office and which are not certified, a fee per page in an amount
40 fixed by the secretary of state and approved by the director of accounts and
41 reports for copies of corporate documents under K.S.A. 45-204 and
42 amendments thereto.

43 (b) Every limited partnership hereafter formed in this state shall pay

1 to the secretary of state at the time of filing its certificate of limited
2 partnership, an application and recording fee of \$150.

3 (c) At the time of filing its application to do business, every foreign
4 limited partnership shall pay to the secretary of state an application and
5 recording fee of \$150.

6 (d) The secretary of state shall not charge any fees for the documents
7 or services described in this section upon an official request by any agency
8 of this state or of the United States, or by any officer or employee thereof.

9 Sec. 32. On and after January 1, 2024, K.S.A. 2021 Supp. 56-1a606
10 is hereby amended to read as follows: 56-1a606. (a) Every limited
11 partnership organized under the laws of this state shall make ~~an annual~~ *a*
12 *written business entity information report in writing* to the secretary of
13 state, stating the prescribed information concerning the limited partnership
14 at the close of business on the last day of its tax period next preceding the
15 date of filing. If the limited partnership's tax period is other than the
16 calendar year, it shall give notice of its different tax period to the secretary
17 of state prior to December 31 of the year it commences the different tax
18 period.

19 (b) ~~The annual~~ report shall be filed *biennially, as determined by the*
20 *year that the limited partnership filed its formation documents. A limited*
21 *partnership that filed formation documents in an even-numbered year*
22 *shall file a report in each even-numbered year. A limited partnership that*
23 *filed formation documents in an odd-numbered year shall file a report in*
24 *each odd-numbered year. The report shall be filed after the close of the*
25 *limited partnership's tax period but not later than at the time prescribed by*
26 *law for filing the limited partnership's annual Kansas income tax return.*

27 ~~(b)(c)~~ ~~The annual~~ report shall be made on a form prescribed by the
28 secretary of state. ~~The report and~~ shall contain the following information:

29 (1) The name of the limited partnership; and

30 (2) a list of the partners owning at least 5% of the capital of the
31 partnership, with the address of each.

32 ~~(e)(d)~~ Every limited partnership subject to the provisions of this
33 section ~~which~~ *that* is a limited agricultural partnership, as defined in
34 K.S.A. 17-5903, and amendments thereto, and ~~which~~ *that* holds
35 agricultural land, as defined in K.S.A. 17-5903, and amendments thereto,
36 within this state shall show the following additional information on the
37 report:

38 (1) The number of acres and location, listed by section, range,
39 township and county of each lot, tract or parcel of agricultural land in this
40 state owned or leased by the limited partnership; and

41 (2) whether any of the agricultural land held and reported under
42 ~~subsection (e)(1) paragraph (1)~~ *paragraph (1)* was acquired after July 1, 1981.

43 ~~(d)(e)~~ The ~~annual~~ report shall be signed by the general partner or

1 partners of the limited partnership under penalty of perjury and forwarded
2 to the secretary of state.

3 (f) At the time of filing ~~the~~ *its business entity information* report, the
4 limited partnership shall pay to the secretary of state ~~an annual report a fee~~
5 in an amount equal to ~~\$40~~ \$80, *plus the amount specified in rules and*
6 *regulations of the secretary multiplied by the number of tax periods*
7 *included in the report.*

8 (e)(g) The provisions of K.S.A. 17-7509, and amendments thereto,
9 relating to penalties for failure of a corporation to file ~~an annual a business~~
10 *entity information* report or pay the required ~~annual report~~ fee, and the
11 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
12 forfeiture of a domestic corporation's articles of incorporation for failure to
13 file ~~an annual a business entity information~~ report or pay the required
14 ~~annual report~~ fee, shall be applicable to the certificate of partnership of any
15 limited partnership ~~which~~ *that* fails to file its ~~annual business entity~~
16 *information* report or pay the ~~annual report~~ *required* fee within 90 days of
17 the time prescribed in this section for filing and paying the same or, in the
18 case of ~~an annual a~~ report filing and fee received by mail, postmarked
19 within 90 days of the time prescribed in this section for filing and paying
20 the same. Whenever the certificate of partnership of a limited partnership
21 is forfeited for failure to file ~~an annual a business entity information~~ report
22 or to pay the required ~~annual report~~ fee, the limited partnership may be
23 reinstated by filing a certificate of reinstatement, in the manner and form
24 to be prescribed by the secretary of state ~~and paying to the secretary of~~
25 ~~state all fees, including any penalties thereon, due to the state, and all past~~
26 ~~due business entity information reports for the immediately preceding 10~~
27 ~~years, and payment to the secretary an amount equal to all fees and any~~
28 ~~penalties due.~~ The fee for filing a certificate of reinstatement shall be the
29 same as that prescribed by K.S.A. 17-7506, and amendments thereto, for
30 filing a certificate of reinstatement of a corporation's articles of
31 incorporation.

32 Sec. 33. On and after January 1, 2024, K.S.A. 2021 Supp. 56-1a607
33 is hereby amended to read as follows: 56-1a607. (a) Every foreign limited
34 partnership shall make ~~an annual a written business entity information~~
35 ~~report in writing~~ to the secretary of state, stating the prescribed
36 information concerning the limited partnership at the close of business on
37 the last day of its tax period next preceding the date of filing. If the limited
38 partnership's tax period is other than the calendar year, it shall give notice
39 of its different tax period to the secretary of state prior to December 31 of
40 the year it commences the different tax period.

41 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
42 *year that the foreign limited partnership filed its foreign limited*
43 *partnership application. A foreign limited partnership that filed its*

1 *application in an even-numbered year shall file a report in each even-*
2 *numbered year. A foreign limited partnership that filed its application in*
3 *an odd-numbered year shall file a report in each odd-numbered year. The*
4 *report shall be filed after the close of the limited partnership's tax period*
5 *but not later than at the time prescribed by law for filing the limited*
6 *partnership's annual Kansas income tax return.*

7 ~~(b)(c)~~ The ~~annual~~ report shall be made on a form prescribed by the
8 secretary of state. ~~The report and~~ shall contain the name of the limited
9 partnership.

10 ~~(e)(d)~~ Every foreign limited partnership subject to the provisions of
11 this section ~~which that~~ is a limited agricultural partnership, as defined in
12 K.S.A. 17-5903, and amendments thereto, and ~~which that~~ holds
13 agricultural land, as defined in K.S.A. 17-5903, and amendments thereto,
14 within this state shall show the following additional information on the
15 report:

16 (1) The number of acres and location, listed by section, range,
17 township and county of agricultural land in this state owned or leased by
18 the limited partnership; and

19 (2) whether any of the agricultural land held and reported under
20 ~~subsection (e)(1) paragraph (1)~~ was acquired after July 1, 1981.

21 ~~(d)(e)~~ The ~~annual~~ report shall be signed by the general partner or
22 partners of the limited partnership under penalty of perjury and forwarded
23 to the secretary of state.

24 ~~(f)~~ At the time of filing ~~the its business entity information~~ report, the
25 foreign limited partnership shall pay to the secretary of state ~~an annual~~
26 ~~report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount specified in*
27 *rules and regulations of the secretary multiplied by the number of tax*
28 *periods included in the report.*

29 ~~(e)(g)~~ The provisions of K.S.A. 17-7509, and amendments thereto,
30 relating to penalties for failure of a corporation to file ~~an annual~~ a *business*
31 *entity information* report or pay the required ~~annual-report~~ fee, and the
32 provisions of K.S.A. 17-7510(b), and amendments thereto, relating to
33 forfeiture of a foreign corporation's authority to do business in this state
34 for failure to file ~~an annual~~ a *business entity information* report or pay the
35 required ~~annual-report~~ fee, shall be applicable to the authority of any
36 foreign limited partnership which fails to file its ~~annual~~ *business entity*
37 *information* report or pay the ~~annual-report~~ *required* fee within 90 days of
38 the time prescribed in this section for filing and paying the same or, in the
39 case of ~~an annual~~ a report filing and fee received by mail, postmarked
40 within 90 days of the time prescribed in this section for filing and paying
41 the same. Whenever the authority of a foreign limited partnership to do
42 business in this state is forfeited for failure to file ~~an annual~~ a *business*
43 *entity information* report or to pay the required ~~annual-report~~ fee, the

1 foreign limited partnership's authority to do business in this state may be
2 reinstated by filing a certificate of reinstatement, in the manner and form
3 to be prescribed by the secretary of state ~~and paying to the secretary of~~
4 ~~state all fees, including any penalties thereon, due to the state, and all past~~
5 *due business entity information reports for the immediately preceding 10*
6 *years, and payment to the secretary of state an amount equal to all fees*
7 *and any penalties due.* The fee for filing a certificate of reinstatement shall
8 be the same as that prescribed by K.S.A. 17-7506, and amendments
9 thereto, for filing a certificate of reinstatement of a corporation's articles of
10 incorporation.

11 Sec. 34. On and after January 1, 2024, K.S.A. 2021 Supp. 56a-1201
12 is hereby amended to read as follows: 56a-1201. (a) Every limited liability
13 partnership organized under the laws of this state shall make ~~an annual~~ a
14 *written business entity information report in writing* to the secretary of
15 state, stating the prescribed information concerning the limited liability
16 partnership at the close of business on the last day of its tax period next
17 preceding the date of filing. If the limited liability partnership's tax period
18 is other than the calendar year, it shall give notice of its different tax period
19 in writing to the secretary of state prior to December 31 of the year it
20 commences the different tax period.

21 (b) ~~The annual~~ report shall be filed *biennially, as determined by the*
22 *year that the limited liability partnership filed its limited liability*
23 *partnership formation documents. A limited liability partnership that filed*
24 *formation documents in an even-numbered year shall file a report in each*
25 *even-numbered year. A limited liability partnership that filed formation*
26 *documents in an odd-numbered year shall file a report in each odd-*
27 *numbered year. The report shall be filed after the close of the limited*
28 *liability partnership's tax period but not later than at the time prescribed*
29 *by law for filing the limited liability partnership's annual Kansas income*
30 *tax return.*

31 (b)(c) ~~The annual~~ report shall be made on a form prescribed by the
32 secretary of state. ~~The report~~ and shall contain the following information:

33 (1) The name of the limited liability partnership; and
34 (2) a list of the partners owning at least 5% of the capital of the
35 partnership, with the address of each.

36 (e)(d) ~~The annual~~ report shall be signed by a partner of the limited
37 liability partnership under penalty of perjury and forwarded to the
38 secretary of state.

39 (e) At the time of filing ~~the its business entity information~~ report, the
40 limited liability partnership shall pay to the secretary of state ~~an annual~~
41 ~~report~~ a fee in an amount equal to ~~\$40~~ \$80, *plus the amount specified in*
42 *rules and regulations of the secretary multiplied by the number of tax*
43 *periods included in the report.*

1 ~~(d)~~(f) The provisions of K.S.A. 17-7509, and amendments thereto,
 2 relating to penalties for failure of a corporation to file ~~an annual~~ *a business*
 3 *entity information* report or pay the required ~~annual report~~ fee, and the
 4 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
 5 penalties for failure of a corporation to file ~~an annual~~ *a business entity*
 6 *information* report or pay the required ~~annual report~~ fee, shall be
 7 applicable to the statement of qualification of any limited liability
 8 partnership ~~which~~ *that* fails to file its ~~annual business entity information~~
 9 report or pay the ~~annual report~~ *required* fee within 90 days of the time
 10 prescribed in this section for filing and paying the same or, in the case of
 11 ~~an annual~~ *a* report filing and fee received by mail, postmarked within 90
 12 days of the time prescribed in this section for filing and paying the same.
 13 Whenever the statement of qualification of a limited liability partnership is
 14 forfeited for failure to file ~~an annual~~ *a business entity information* report or
 15 to pay the required ~~annual report~~ fee, the limited liability partnership may
 16 be reinstated by filing a certificate of reinstatement, in the manner and
 17 form to be prescribed by the secretary of state ~~and paying to the secretary~~
 18 ~~of state all fees, including any penalties thereon, due to the state, and all~~
 19 ~~past due business entity information reports for the immediately preceding~~
 20 ~~10 years, and payment to the secretary an amount equal to all fees and~~
 21 ~~any penalties due.~~ The fee for filing a certificate of reinstatement shall be
 22 the same as that prescribed by K.S.A. 17-7506, and amendments thereto,
 23 for filing a certificate of reinstatement of a corporation's articles of
 24 incorporation.

25 Sec. 35. On and after January 1, 2024, K.S.A. 2021 Supp. 56a-1202
 26 is hereby amended to read as follows: 56a-1202. (a) Every foreign limited
 27 liability partnership shall make ~~an annual~~ *a written business entity*
 28 *information* report ~~in writing~~ to the secretary of state, stating the
 29 prescribed information concerning the foreign limited liability partnership
 30 at the close of business on the last day of its tax period next preceding the
 31 date of filing. If the foreign limited liability partnership's tax period is
 32 other than the calendar year, it shall give notice in writing of its different
 33 tax period to the secretary of state prior to December 31 of the year it
 34 commences the different tax period.

35 (b) The ~~annual~~ report shall be filed *biennially, as determined by the*
 36 *year that the foreign limited liability partnership filed its foreign limited*
 37 *liability partnership application. A foreign limited liability partnership*
 38 *that filed its application in an even-numbered year shall file a report in*
 39 *each even-numbered year. A foreign limited liability partnership that filed*
 40 *its application in an odd-numbered year shall file a report in each odd-*
 41 *numbered year. The report shall be filed after the close of the foreign*
 42 *limited liability partnership's tax period but not later than at the time*
 43 *prescribed by law for filing the foreign limited liability partnership's*

1 annual Kansas income tax return.

2 ~~(b)~~(c) The ~~annual~~ report shall be made on a form prescribed by the
3 secretary of state. ~~The report~~ and shall contain the name of the foreign
4 limited liability partnership.

5 ~~(e)~~(d) The ~~annual~~ report shall be signed by a partner of the foreign
6 limited liability partnership under penalty of perjury and forwarded to the
7 secretary of state.

8 (e) At the time of filing ~~the its business entity information~~ report, the
9 foreign limited liability partnership shall pay to the secretary of state ~~an~~
10 ~~annual report~~ a fee in an amount equal to ~~\$40~~ \$80, plus the amount
11 specified in rules and regulations of the secretary multiplied by the
12 number of tax periods included in the report.

13 ~~(d)~~(f) The provisions of K.S.A. 17-7509, and amendments thereto,
14 relating to penalties for failure of a corporation to file ~~an annual a business~~
15 ~~entity information~~ report or pay the required ~~annual report~~ fee, and the
16 provisions of K.S.A. 17-7510(a), and amendments thereto, relating to
17 penalties for failure of a corporation to file ~~an annual a business entity~~
18 ~~information~~ report or pay the required ~~annual report~~ fee, shall be
19 applicable to the statement of foreign qualification of any foreign limited
20 liability partnership ~~which that~~ fails to file its ~~annual business entity~~
21 ~~information~~ report or pay the ~~annual report~~ required fee within 90 days of
22 the time prescribed in this section for filing and paying the same or, in the
23 case of ~~an annual a~~ report filing and fee received by mail, postmarked
24 within 90 days of the time prescribed in this section for filing and paying
25 the same. Whenever the statement of foreign qualification of a foreign
26 limited liability partnership is forfeited for failure to file ~~an annual a~~
27 ~~business entity information~~ report or to pay the required ~~annual report~~ fee,
28 the statement of foreign qualification of the foreign limited liability
29 partnership may be reinstated by filing a certificate of reinstatement, in the
30 manner and form to be prescribed by the secretary of state ~~and paying to~~
31 ~~the secretary of state all fees, including any penalties thereon, due to the~~
32 ~~state, and all past due business entity information reports for the~~
33 ~~immediately preceding 10 years, and payment to the secretary of state an~~
34 ~~amount equal to all fees and any penalties due.~~ The fee for filing a
35 certificate of reinstatement shall be the same as that prescribed by K.S.A.
36 17-7506, and amendments thereto, for filing a certificate of reinstatement
37 of a corporation's articles of incorporation.

38 Sec. 36. On and after January 1, 2024, K.S.A. 75-446 is hereby
39 amended to read as follows: 75-446. The secretary of state shall remit all
40 moneys received from ~~annual business entity information~~ report fees, to
41 the state treasurer in accordance with the provisions of K.S.A. 75-4215,
42 and amendments thereto. Upon receipt of each such remittance, the state
43 treasurer shall deposit the entire amount in the state treasury to the credit

1 of the state general fund.

2 Sec. 37. K.S.A. 17-1513, as amended by section 2 of chapter 61 of
3 the 2021 Session Laws of Kansas, 17-1618, as amended by section 3 of
4 chapter 61 of the 2021 Session Laws of Kansas, 17-2037, as amended by
5 section 5 of chapter 61 of the Session Laws of Kansas, 17-4677, as
6 amended by section 9 of chapter 61 of the 2021 Session Laws of Kansas,
7 17-5902, as amended by section 10 of chapter 61 of the 2021 Session
8 Laws of Kansas, 17-7509, as amended by section 18 of chapter 61 of the
9 2021 Session Laws of Kansas, 17-7511, as amended by section 20 of
10 chapter 61 of the 2021 Session Laws of Kansas, 53-601, as amended by
11 section 38 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a605, as
12 amended by section 40 of chapter 61 of the 2021 Session Laws of Kansas,
13 and 75-446, as amended by section 51 of chapter 61 of the 2021 Session
14 Laws of Kansas, and K.S.A. 2020 Supp. 17-2036, as amended by section 4
15 of chapter 61 of the 2021 Session Laws of Kansas, 17-2718, as amended
16 by section 7 of chapter 61 of the 2021 Session Laws of Kansas, 17-4634,
17 as amended by section 8 of chapter 61 of the Session Laws of Kansas, 17-
18 6014, as amended by section 12 of chapter 61 of the 2021 Session Laws of
19 Kansas, 17-7002, as amended by section 13 of chapter 61 of the 2021
20 Session Laws of Kansas, 17-7503, as amended by section 14 of chapter 61
21 of the 2021 Session Laws of Kansas, 17-7504, as amended by section 15
22 of chapter 61 of the 2021 Session Laws of Kansas, 17-7505, as amended
23 by section 16 of chapter 61 of the 2021 Session Laws of Kansas, 17-7506,
24 as amended by section 17 of chapter 61 of the 2021 Session Laws of
25 Kansas, 17-7510, as amended by section 19 of chapter 61 of the 2021
26 Session Laws of Kansas, 17-7512, as amended by section 21 of chapter 61
27 of the 2021 Session Laws of Kansas, 17-76,136, as amended by section 22
28 of chapter 61 of the 2021 Session Laws of Kansas, 17-76,139, as amended
29 by section 23 of chapter 61 of the 2021 Session Laws of Kansas, 17-
30 76,146, as amended by section 24 of chapter 61 of the 2021 Session Laws
31 of Kansas, 17-76,147, as amended by section 25 of chapter 61 of the 2021
32 Session Laws of Kansas, 17-7903, as amended by section 27 of chapter 61
33 of the 2021 Session Laws of Kansas, 17-7904, as amended by section 28
34 of chapter 61 of the 2021 Session Laws of Kansas, 17-7905, as amended
35 by section 29 of chapter 61 of the 2021 Session Laws of Kansas, 17-7906,
36 as amended by section 30 of chapter 61 of the 2021 Session Laws of
37 Kansas, 17-7910, as amended by section 32 of chapter 61 of the 2021
38 Session Laws of Kansas, 17-7936, as amended by section 33 of chapter 61
39 of the 2021 Session Laws of Kansas, 56-1a606, as amended by section 41
40 of chapter 61 of the 2021 Session Laws of Kansas, 56-1a607, as amended
41 by section 42 of chapter 61 of the 2021 Session Laws of Kansas, 56a-
42 1201, as amended by section 45 of chapter 61 of the 2021 Session Laws of
43 Kansas, and 56a-1202, as amended by section 46 of chapter 61 of the 2021

1 Session Laws of Kansas are hereby repealed.

2 Sec. 38. On and after January 1, 2024, K.S.A. 17-1513, 17-1618, 17-
3 2037, 17-4677, 17-5902, 17-7509, 17-7511, 53-601, 56-1a605 and 75-446
4 and K.S.A. 2021 Supp. 17-2036, 17-2718, 17-4634, 17-6014, 17-7002, 17-
5 7503, 17-7504, 17-7505, 17-7506, 17-7507, as revived by section 15 of
6 this act, 17-7510, 17-7512, 17-76,136, 17-76,139, 17-76,146, 17-76,147,
7 17-7903, 17-7904, 17-7905, 17-7906, 17-7910, 17-7936, 56-1a606, 56-
8 1a607, 56a-1201 and 56a-1202 are hereby repealed.

9 Sec. 39. This act shall take effect and be in force from and after its
10 publication in the statute book.