

A-Engrossed House Bill 2086

Ordered by the Senate May 13
Including Senate Amendments dated May 13

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Secretary of State Bill Bradbury)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Permits Secretary of State to waive requirement that administratively dissolved nonprofit corporation apply for reinstatement within five years from date of dissolution **if corporation requests waiver and shows good cause for failure to apply for reinstatement.**

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to administrative dissolution of nonprofit corporations; creating new provisions; amending
3 ORS 65.654; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 65.654 is amended to read:

6 65.654. (1) A corporation administratively dissolved under ORS 65.651 may apply to the Secre-
7 tary of State for reinstatement within five years from the date of dissolution. The application must:

8 (a) State the name of the corporation and the effective date of its administrative dissolution; and

9 (b) State that the ground or grounds for dissolution either did not exist or have been eliminated.

10 (2) If the Secretary of State determines that the application contains the information required
11 by subsection (1) of this section, that the information is correct, and that the corporation's name
12 satisfies the requirements of ORS 65.094, the Secretary of State shall reinstate the corporation.

13 (3) When reinstatement is effective, it relates back to and takes effect as of the effective date
14 of the administrative dissolution and the corporation resumes carrying on its activities as if the
15 administrative dissolution had never occurred.

16 (4) **The Secretary of State may waive the requirement under subsection (1) of this section
17 that the corporation apply for reinstatement within five years after the date of dissolution
18 if the corporation requests the waiver and shows good cause for the corporation's failure to
19 apply for reinstatement as provided in subsection (1) of this section.**

20 **SECTION 2.** The amendments to ORS 65.654 by section 1 of this 2009 Act apply to
21 nonprofit corporations administratively dissolved before, on or after the effective date of this
22 2009 Act.

23 **SECTION 3.** This 2009 Act being necessary for the immediate preservation of the public
24 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
25 on its passage.
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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.