

House Bill 2846

Sponsored by COMMITTEE ON BUSINESS AND LABOR (at the request of Agricultural Cooperative Council of Oregon)

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 **as introduced**.

Permits person to use "cooperative" as part of person's corporate name, business name or title if person is cooperative incorporated under laws of another jurisdiction, if person does business in this state and if person's cooperative name is distinguishable from other entity names in records of office of Secretary of State.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the use of "cooperative" in entity names; amending ORS 62.850; and declaring an emer-
3 gency.

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

5 **SECTION 1.** ORS 62.850 is amended to read:

6 62.850. *[(1) No person other than a cooperative incorporated under this chapter or a previous Act*
7 *of this state shall use the term "cooperative," or any variation thereof, as part of its corporate or other*
8 *business name or title.]*

9 *[(2) Any violation of this section may be enjoined upon suit by any cooperative, without a showing*
10 *of any damage to itself.]*

11 **(1) A person may not use the word "cooperative" or a variation of the word**
12 **"cooperative" as part of the person's corporate name, business name or title unless:**

13 **(a) The person is a cooperative incorporated under this chapter or under a previous Act**
14 **of this state; or**

15 **(b) The person is a cooperative incorporated under the laws of another jurisdiction, the**
16 **person does business in this state and the person's cooperative name otherwise meets the**
17 **requirements set forth in ORS 62.131.**

18 **(2) A cooperative may bring an action to enjoin a violation of this section without show-**
19 **ing damage to the cooperative.**

20 **SECTION 2.** This 2013 Act being necessary for the immediate preservation of the public
21 peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect
22 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.