

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT:

The Committee on **Commerce** recommends **SB 251** be amended on page 1, in line 32, by striking "annually" and inserting "biennially, as determined by the year that the business trust filed its formation documents. A business trust that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A business trust that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the business trust's tax period but not later than"; in line 33, by striking ", unless the"; by striking all in lines 34 through 36;

On page 2, by striking all in lines 1 through 4; in line 5, by striking all before the period; in line 18, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary";

On page 3, in line 43, by striking "annually" and inserting "biennially, as determined by the year that the professional corporation filed its articles of formation documents. A professional corporation that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A professional corporation that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the corporation's tax period but not later than";

On page 4, in line 1, by striking ", unless the"; by striking all in lines 2 through 8 ; in line 9, by striking all before the period; in line 43, by striking "annually" and inserting "biennially, as determined by the year that the electric cooperative filed its formation documents. An electric cooperative that filed formation documents in an even-numbered year shall file a report in each

even-numbered year. An electric cooperative that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the electric cooperative's tax period but not later than";

On page 5, in line 2, by striking all after "cooperative"; by striking all in lines 3 through 8; in line 9, by striking all before the period; in line 24, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary"; in line 35, by striking "annually" and inserting "biennially, as determined by the year that the renewable energy electric generation cooperative filed its articles of formation documents. A renewable energy electric generation cooperative that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A renewable energy electric generation cooperative that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the electric cooperative's tax period but not later than"; in line 36, by striking the comma; by striking all in lines 37 through 43;

On page 6, in line 1, by striking all before the period; in line 16, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary";

On page 10, in line 25, after "reports" by inserting "for up to the five most recent reporting periods"; in line 28, by striking ", but shall" and inserting "and"; also in line 28, after "pay" by inserting "to the secretary of state an amount equal to";

On page 11, in line 37, by striking "annually" and inserting "biennially, as determined by the year that the domestic corporation filed its formation documents. A domestic corporation that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A domestic corporation that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the corporation's tax period but not later than"; in line 39, by striking all after "return"; by striking all in lines 40 through 43;

On page 12, by striking all in lines 1 and 2; in line 3, by striking all before the period;

On page 13, in line 4, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary"; in line 14, by striking "annually" and inserting "biennially, as determined by the year that the corporation organized not for profit filed its formation documents. A corporation organized not for profit that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A corporation organized not for profit that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the corporation's tax period but not later than"; in line 15, by striking all after "year"; by striking all in lines 16 through 21; in line 22, by striking all before the period;

On page 14, in line 21, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary"; in line 37, by striking "annually" and inserting "biennially, as determined by the year that the foreign corporation filed its foreign corporation application in Kansas. A foreign corporation that filed an application in an even-numbered year shall file a report in each even-numbered year. A foreign corporation that filed an application in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the corporation's tax period but not later than"; in line 38, by striking ", unless the"; by striking all in lines 39 through 43;

On page 15, by striking all in lines 1 and 2; in line 3, by striking all before the period;

On page 16, in line 4, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary";

On page 17, by striking all in lines 12 through 17;

On page 19, in line 16, after "cancellation" by inserting ", and the fee shall be multiplied by the number of series of the limited liability company named in the certificate of cancellation"; in line 28, after "standing" by inserting ", including a certificate of good standing for a series of a limited liability company,";

On page 20, in line 9, after "organized" by inserting ", and on and after July 1, 2022, each series thereof formed or in existence,"; in line 12, after "company" by inserting "or series, as applicable,"; in line 14, after "company's" by inserting "or series"; in line 18, by striking "annually" and inserting "biennially, as determined by the year that the limited liability company filed its formation documents. A limited liability company that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A limited liability company that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the limited liability company's tax period but not later than"; in line 19, after "company's" by inserting "or series"; in line 20, by striking all after "return"; by striking all in lines 21 through 27; in line 28, by striking all before the period and inserting ", or if applicable law does not prescribe a time for filing an annual Kansas income tax return for a series, the report for the series shall be filed at, and for purposes of this section its tax period shall be deemed to be, the time prescribed by law for filing the annual Kansas income tax return for the limited liability company to which the series is associated"; in line 31, after "company" by inserting "or series, as applicable"; in line 33, after "company" by inserting "or series, as applicable"; in line 42, by striking "annually" and inserting "biennially, as determined by the year that the foreign limited liability company filed its foreign limited liability company application. A foreign limited liability company that filed its application in an even-numbered year shall file a report in each even-numbered year. A foreign limited liability company that filed its application in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the foreign limited liability company's tax period but not later than";

On page 21, in line 1, by striking all after "return"; by striking all in lines 2 through 8; in line 9, by striking all before the period; in line 16, by striking "this" and inserting "the Kansas revised limited liability company"; in line 21, after "company" by inserting "or series"; in line 22, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary"; in line 31, after

the first "company" by inserting ", or the certificate of designation of any series thereof,"; in line 37, after "company" by inserting ", or the certificate of designation of a series thereof,"; in line 38, after "forfeited" by inserting "or canceled"; in line 42, after the second "and" by inserting "the certificate of designation may be reinstated by filing a certificate of reinstatement, pursuant to K.S.A. 2019 Supp. 17-76,147, and amendments thereto, and in each case";

On page 22, in line 2, after "company" by inserting "or series"; in line 3, by striking "this" and inserting "the Kansas revised limited liability"; in line 5, after "authority" by inserting "or the certificate of designation of such series has been filed";

On page 23, in line 9, after "company" by inserting ", and all series thereof that have been formed and whose certificate of designation has not been canceled prior to the cancellation of the articles of organization,";

On page 27, in line 7, after "17-7674a" by inserting "and 17-76,143"; in line 13, after "thereto" by inserting ", or K.S.A. 2019 Supp. 17-76,143a, and amendments thereto"; in line 21, after "mergers" by inserting "or consolidations"; also in line 21, after "thereto" by inserting ", or K.S.A. 2019 Supp. 17-76,143a, and amendments thereto"; in line 23, after "thereto" by inserting ", or K.S.A. 2019 Supp. 17-76,147, and amendments thereto"; in line 25, after "thereto" by inserting ", or K.S.A. 2019 Supp. 17-76,143, and amendments thereto";

On page 32, in line 9, by striking "annually" and inserting "biennially, as determined by the year that the limited partnership filed its formation documents. A limited partnership that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A limited partnership that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the limited partnership's tax period but not later than"; in line 10, by striking the comma; by striking all in lines 11 through 17; in line 18, by striking all before the period; in line 40, by striking "\$40" and inserting "\$80, plus the amount specified

in rules and regulations of the secretary";

On page 33, in line 29, by striking "annually" and inserting "biennially, as determined by the year that the foreign limited partnership filed its foreign limited partnership application. A foreign limited partnership that filed its application in an even-numbered year shall file a report in each even-numbered year. A foreign limited partnership that filed its application in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the limited partnership's tax period but not later than"; in line 30, by striking the comma; by striking all in lines 31 through 38; in line 39, by striking all before the period;

On page 34, in line 16, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary";

On page 35, in line 7, by striking "annually" and inserting "biennially, as determined by the year that the limited liability partnership filed its limited liability partnership formation documents. A limited liability partnership that filed formation documents in an even-numbered year shall file a report in each even-numbered year. A limited liability partnership that filed formation documents in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the limited liability partnership's tax period but not later than"; in line 9, by striking all after "return"; by striking all in lines 10 through 16; in line 17, by striking all before the period; in line 28, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary";

On page 36, in line 17, by striking "annually" and inserting "biennially, as determined by the year that the foreign limited liability partnership filed its foreign limited liability partnership application. A foreign limited liability partnership that filed its application in an even-numbered year shall file a report in each even-numbered year. A foreign limited liability partnership that filed its application in an odd-numbered year shall file a report in each odd-numbered year. The report shall be filed after the close of the foreign limited liability partnership's tax period but not later than"; in line 19, by striking all after

"return"; by striking all in lines 20 through 26; in line 27, by striking all before the period; in line 36, by striking "\$40" and inserting "\$80, plus the amount specified in rules and regulations of the secretary";

On page 37, by striking all in lines 23 through 27; in line 31, after "17-76,136," by inserting "17-76,136, as amended by section 36 of chapter 47 of the 2019 Session Laws of Kansas,"; also in line 31, after "17-76,139," by inserting "17-76,139, as amended by section 38 of chapter 47 of the 2019 Session Laws of Kansas,"; in line 32, after "76-146," by inserting "17-76,146, as amended by section 41 of chapter 47 of the 2019 Session Laws of Kansas,"; also in line 32, after "17-7904," by inserting "17-7904, as amended by section 43 of chapter 47 of the 2019 Session Laws of Kansas,"; in line 33, by striking "and" and inserting ", 56a-1203,"; also in line 33, after "56a-1202" by inserting "and 75-447"; in line 34, after "after" by inserting "July 1, 2022, and";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking ", 17-7507"; also in line 3, by striking the sixth comma and inserting "and"; in line 4, by striking "75-447 and"; in line 8, after "sections" by inserting "; also repealing K.S.A. 17-7507, 17-76,136, as amended by section 36 of chapter 47 of the 2019 Session Laws of Kansas, 17-76,139, as amended by section 38 of chapter 47 of the 2019 Session Laws of Kansas, 17-76,146, as amended by section 41 of chapter 47 of the 2019 Session Laws of Kansas, 17-7904, as amended by section 43 of chapter 47 of the 2019 Session Laws of Kansas, 56a-1203 and 75-447"; and the bill be passed as amended.

Chairperson