



HOUSE BILL 228: Postpone Assumed Name Revisions.

2017-2018 General Assembly

Committee:		Date:	August 14, 2017
Introduced by:		Prepared by:	Amy Darden Staff Attorney
Analysis of:	S.L. 2017-23		

OVERVIEW: *S.L. 2017-23 postpones the implementation of the Assumed Business Name Act for five months, as recommended by the General Statutes Commission, because the database will not be operational by the current July 1, 2017 implementation date. This act became effective June 2, 2017.*

CURRENT LAW: Article 14 of Chapter 66, titled *Business Under Assumed Name Regulated*, governs the filing requirements for engaging in business under an assumed name. S.L. 2016-100 enacted a new Article 14A to modernize the laws governing the use of assumed business names. Article 14A was also a recommendation by the General Statutes Commission.

S.L. 2016-100 enacted Article 14A of Chapter 66, with an effective date of July 1, 2017, and made conforming changes to other statute sections to coordinate with the new Article 14A.

BILL ANALYSIS:

This act states that Article 14 of Chapter 66 applies until December 1, 2017, and modifies the following deadlines for certificates of assumed name under Article 14:

- Expiration of certificates of assumed named under Article 14 from July 1, 2022 to December 1, 2022.
- Filing certificates of assumed named under Article 14 from July 1, 2017 to December 1, 2017.
- Filing cut-off date related to withdrawal, transfer, or amendment of a certificate of assumed name filed under Article 14 from July 1, 2017 to December 1, 2017.

It also modifies an effective date for a conforming change, addressing a pleading requirement in legal proceedings, from July 1, 2021 to December 1, 2022.

EFFECTIVE DATE: The act became effective June 2, 2017.

BACKGROUND: Article 14A establishes a statewide database of assumed business name information maintained by the Secretary of State. The database will not be operational by the current effective date of Article 14A.

Howard Marsilio, Staff Attorney, substantially contributed to this summary.

Karen Cochrane-Brown
Director



H 2 2 8 - S M B B - 7 1 S L - V - 5

Legislative Analysis
Division
919-733-2578