

7. Obtains gas, electricity or water from a public utility or obtains cable television or telephone service from an unauthorized connection to the supply or service line or by intentionally altering, adjusting, removing or tampering with the metering or service device so as to cause inaccurate readings.

Approved May 15, 1989

CHAPTER 171

NONPROFIT CORPORATION FILINGS

H.F. 678

AN ACT relating to certain filings with the secretary of state by nonprofit corporations.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 504A.9, unnumbered paragraph 2, Code 1989, is amended to read as follows:

Such statement shall be executed by the corporation by its president or a vice president. ~~If the registered office is changed from one county to another, such statement shall be executed in duplicate.~~ Such statement shall be delivered to the secretary of state for filing and recording in the secretary of state's office, and the statement shall be filed and recorded in the office of the county recorder; ~~and if the registered office is changed from one county to another, the same shall be filed and recorded in the office of the recorder of the county in which the registered office was located prior to the filing of such statement in the office of the secretary of state, and in the office of the recorder of the county to which the registered office is changed.~~ If the registered office is changed from one county to another, the statement shall be filed and recorded in the office of the county recorder of the county to which the registered office is changed, and a certified copy of the statement shall be furnished by the secretary of state and delivered to the office of the county recorder for filing in the county in which the registered office was located prior to the filing of the statement.

Sec. 2. Section 504A.9, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The secretary of state may provide for the change of registered office or registered agent on the form prescribed by the secretary of state for the annual report pursuant to section 504A.83, provided that the form contains the information required in this section. If the secretary of state determines that an annual report does not contain the information required by section 504A.83 but otherwise meets the requirements of this section for the purpose of changing the registered office or registered agent, the secretary of state shall file the statement of change of registered office or registered agent before returning the annual report to the corporation pursuant to section 504A.84. The secretary of state shall deliver a notice certifying the change in registered office or registered agent to the office of the county recorder for filing and recording. A statement of change of registered office or registered agent pursuant to this paragraph shall be executed by a person authorized to execute the annual report.

Sec. 3. Section 504A.32, unnumbered paragraph 2, Code 1989, is amended to read as follows:

Any Except for a statement of change of registered office or registered agent filed pursuant to section 504A.9 or 504A.73, and an annual report filed pursuant to section 504A.83, any instrument required to be filed and recorded in the office of the secretary of state only, shall be returned by the secretary to the corporation or its representative. Any instrument required

to be filed and recorded in the office of the county recorder shall be returned by the recorder to the corporation or its representative.

Sec. 4. Section 504A.69, unnumbered paragraph 2, Code 1989, is amended to read as follows:

~~Such~~ The application shall be made on forms prescribed and furnished by the secretary of state and shall be executed in duplicate by the corporation by its president or a vice president and by its secretary or an assistant secretary, and verified by one of the officers signing such application.

Sec. 5. Section 504A.70, Code 1989, is amended to read as follows:

504A.70 FILING OF APPLICATION FOR CERTIFICATE OF AUTHORITY.

~~Duplicate originals of the~~ The application of the corporation for a certificate of authority, together with a certificate of good standing or existence, duly certified by the proper officer of the state or country under the laws of which it is incorporated, shall be delivered to the secretary of state for filing in the secretary of state's office.

Upon the filing of the application the secretary of state shall issue a certificate of authority to conduct affairs in this state to which the secretary shall affix the ~~other duplicate original~~ application, and send the same to the corporation or its representative.

Sec. 6. Section 504A.73, Code 1989, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The secretary of state may provide for the change of registered office or registered agent on the form prescribed by the secretary of state for the annual report pursuant to section 504A.83, provided that the form contains the information required in this section. If the secretary of state determines that an annual report does not contain the information required by section 504A.83 but otherwise meets the requirements of this section for the purpose of changing the registered office or registered agent, the secretary of state shall file the statement of change of registered office or registered agent before returning the annual report to the corporation pursuant to section 504A.84. The secretary of state shall deliver a notice certifying the change in registered office or registered agent to the office of the county recorder for filing and recording. A statement of change of registered office or registered agent pursuant to this paragraph shall be executed by a person authorized to execute the annual report.

Sec. 7. Section 504A.77, unnumbered paragraph 2, Code 1989, is amended to read as follows:

The requirements in respect to the form and contents of ~~such~~ the application, the manner of its execution, the filing of ~~duplicate originals thereof of the~~ application with the secretary of state, the issuance of an amended certificate of authority and the effect thereof, shall be the same as in the case of an original application for a certificate of authority.

Sec. 8. Section 504A.79, unnumbered paragraph 1, Code 1989, is amended to read as follows:

~~Duplicate originals of such~~ The application for withdrawal shall be delivered to the secretary of state. If the secretary of state finds that such application conforms to the provisions of this chapter, the secretary shall, when all fees due the secretary have been paid as in this chapter prescribed:

Sec. 9. Section 504A.85, subsection 8, Code 1989, is amended by striking the subsection.

Sec. 10. Section 504A.85, subsection 13, Code 1989, is amended to read as follows:

13. Filing any other statement or report, except a statement of change of registered office or registered agent, of a domestic or foreign corporation, five dollars.

Sec. 11. Section 504A.87, subsection 3, Code 1989, is amended to read as follows:

3. The payment to the secretary of state by the corporation of all annual license fees and penalties ~~then~~ due and ~~therefore~~ becoming due and ~~an additional penalty of twenty-five dol-~~lars.