

§104. Execution of documents

Whenever any provision of this Act specifically requires any document to be executed by the corporation in accordance with this section, unless otherwise specifically stated in this Act and subject to any additional provisions of this Act, such requirements shall mean that: [PL 1977, c. 525, §13 (NEW).]

1. Signature required. The document must be signed:

A. In the case of articles of incorporation, by the incorporator or incorporators; [PL 2007, c. 323, Pt. B, §1 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

B. In the case of other documents:

(1) By the clerk or secretary;

(2) By the chair of the board of directors of a foreign corporation or a domestic corporation, by its president or by another of its officers; or

(4) If there are no directors, then by a specific member or members as may be designated by the members at a lawful meeting; [PL 2005, c. 302, §2 (AMD).]

C. In the case of annual reports, as provided in section 1301, subsection 3; or [PL 1997, c. 376, §17 (AMD).]

D. In the case of an application for authority to carry on activities, by any duly authorized individual. All other documents filed on behalf of foreign corporations may be signed by any duly authorized individual; [PL 2007, c. 323, Pt. B, §2 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).] [PL 2007, c. 323, Pt. B, §§1, 2 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

2. Name typed or printed. Any person signing a document shall, either opposite or beneath his signature, clearly and legibly print or type his name and the capacity in which he signs. [PL 1977, c. 525, §13 (NEW).]

3. Title set forth. The document shall set forth the title of the document at the head of the document. [PL 1977, c. 525, §13 (NEW).]

4. Current complete address. The document shall set forth the current address of the registered office of the corporation, including the street or rural route address, post office box, if any, town or city, county and state. [PL 1977, c. 525, §13 (NEW).]

5. Failure to comply. If the document is accepted for filing and filed, a failure to comply with the requirements of subsections 2, 3 or 4 shall have no effect on the validity of the document, and the document shall have the same legal effect as though those subsections had been complied with fully. [PL 1977, c. 525, §13 (NEW).]

SECTION HISTORY

PL 1977, c. 525, §13 (NEW). PL 1989, c. 501, §§L33,34 (AMD). PL 1997, c. 376, §17 (AMD). PL 1999, c. 594, §9 (AMD). PL 2005, c. 302, §2 (AMD). PL 2007, c. 323, Pt. B, §§1, 2 (AMD). PL 2007, c. 323, Pt. G, §4 (AFF).

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