

**CHAPTER 391**

**H.B. No. 1618**

An Act relating to the registration of certain corporate names.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Article 2.07, Texas Business Corporation Act, is amended to read as follows:

Art. 2.07. REGISTERED NAME. A. *Any corporation organized for the purpose of operating a bank, trust company, building and loan association or company, insurance company currently holding a valid certificate of authority to do business in the State of Texas, and any [Any] foreign corporation not authorized to transact business in this State may register its corporate name*

under this Act, provided its corporate name is not the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this State or the name of any foreign corporation authorized to transact business in this State or any corporate name reserved or registered under this Act. *Provided, however, that any bank, trust company, building and loan association, or insurance company will not be prohibited from registering its corporate name even if the corporate name may be deemed to be the same as or deceptively similar to an otherwise authorized corporate name, if such bank, trust company, building and loan association, or insurance company was duly organized on, and in continual existence from, a date preceding the date the conflicting corporate name was authorized by the Secretary of State under this Act.*

B. Such registration shall be made by:

(1) Filing with the Secretary of State:

(a) An application for registration executed by the corporation by an officer thereof, setting forth the name of the corporation, the state or territory under the laws of which it is incorporated, the date of its incorporation, a statement that it is carrying on or doing business, and a brief statement of the business in which it is engaged, and

(b) A certificate setting forth that such corporation is in good standing under the laws of the state or territory wherein it is organized, executed by the Secretary of State of such state or territory or by such other official as may have custody of the records pertaining to corporations, and

(2) Paying to the Secretary of State the required registration fee.

C. Such registration shall be effective for a period of one year from the date on which the application for registration is filed, unless voluntarily withdrawn by the filing of a written notice thereof with the Secretary of State.

**SECTION 2.** All laws and parts of laws in conflict herewith are repealed to the extent of such conflict.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 30, 1985, by a non-record vote; House concurred in Senate amendments to H.B. No. 1618 on May 23, 1985, by a non-record vote; passed by the Senate, with amendments, on May 15, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 10, 1985

Effective: August 26, 1985