

ENROLLMENT(S)

(5)

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AN ACT

D.C. ACT 11-338

*Codification
District of
Columbia
Code
1997 Supp.*

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 22, 1996

To amend the District of Columbia Business Corporation Act of 1954 to provide for the filing of a 2-year report instead of a 5-year report, and to make conforming amendments to the sections governing a proclamation of revocation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Business Corporation Two-Year Report Amendment Act of 1996".

Sec. 2. The District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 179; D.C. Code § 29-301 *et seq.*), is amended as follows:

(a) Section 98 (D.C. Code § 29-398) is amended as follows:

Section
29-398

(1) By striking in subsection (a) the phrase "shall file with the Mayor, on or before April 15th of each 5th year from the date of incorporation, if there has been no change in material facts, a 5-year" and inserting in its place the phrase "incorporated before April 15, 1996, shall file with the Mayor on or before April 15, 1997, and on or before April 15th of each 2nd year thereafter, if there has been no change in material facts, a";

(2) By adding a new subsection (a-1) to read as follows:

"(a-1) Each corporation incorporated after April 14, 1996, shall file with the Mayor on or before April 15th of the year after its incorporation, and on or before April 15th of each 2nd year thereafter, if there has been no change in material facts, a report setting forth the information specified in subsection (a) of this section.";

(3) By striking in subsection (b) the phrase "5-year" and inserting the phrase "2-year" in its place.

(b) Section 112 (D.C. Code § 29-399.13) is amended as follows:

Section
29-399.13

(1) By striking in subsection (a) the phrase "shall file on or before April 15th of each fifth year from the date of authorization to do business in the District of Columbia, if there has been no change in material facts, a 5-year" and inserting the phrase "shall file on or before April 15, 1997, and on or before April 15th of each 2nd year thereafter, if there has been no change in materials facts, a" in its place;

ENROLLED ORIGINAL

(2) By adding a new subsection (a-1) to read as follows:

"(a-1) Each foreign corporation authorized to transact business in the District beginning after April 15, 1997, shall file on or before April 15th of the year after such authorization and on or before April 15th of each 2nd year thereafter, if there has been no change in material facts, a report setting forth the information specified in subsection (a) of this section";

(3) By striking in subsection (b) the phrase "Such 5-year report" and inserting the phrase "Such 2-year report" in its place.

(c) Section 115 (D.C. Code § 29-399.16) is amended as follows:

**Section
29-399.16**

(1) By striking in subsection (a)(6) the phrase "5-year" and inserting the phrase "2-year" in its place; and

(2) By striking in subsection (b)(2) the phrase "5-year" and inserting the phrase "2-year" in its place.

(d) Section 121 (D.C. Code § 29-399.22) is amended as follows:

**Section
29-399.22**

(1) Subsection (d) is amended as follows:

(A) By striking the phrase "a 5-year report fee of \$500" and inserting the phrase "a 2-year report fee of \$200" in its place; and

(B) By striking the phrase "the 5-year report" and inserting the phrase "the 2-year report" in its place.

(2) Subsection (e) is amended by striking the phrase "5-year" wherever it appears and inserting the phrase "2-year" in its place.

(e) Section 122 (D.C. Code § 29-399.23) is amended as follows:

**Section
29-399.23**

(1) By striking the phrase "5-year" in the title and wherever it appears and inserting the phrase "2-year" in its place; and

(2) By striking the phrase "for 2 consecutive years" wherever it appears.

(f) Section 123(a) (D.C. Code § 29-399.24(a)) is amended as follows:

**Section
29-399.24**

(1) By striking the phrase "refused to pay any annual report fee" and inserting the phrase "refused to pay any report fee" in its place; and

(2) By striking the phrase "refused to file any 5-year report as required by this act for 2 consecutive years" and inserting the phrase "refused to file any report as required by this act for a report period" in its place.

(g) Section 125 (D.C. Code § 29-399.26) is amended as follows:

**Section
29-399.26**

(1) By striking the phrase "refused to pay any 5-year report fee or file any 5-year report for 2 consecutive years" and inserting the phrase "refused to pay report fees or file report for a reporting period" in its place; and

(2) By striking the phrase "refusing to pay 5-year report fees" and inserting the phrase "refusing to pay report fees" in its place.

(h) Section 128 (D.C. Code § 29-399.29) is amended by striking the phrase "5-year" in the title and wherever it appears and inserting the phrase "2-year" in its place.

**Section
29-399.29**

(i) Nothing in this act shall be construed or interpreted as repealing or affecting any

Note, Sections

ENROLLED ORIGINAL

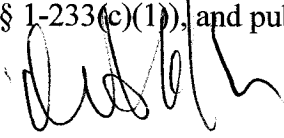
requirement of a domestic or foreign corporation to prepare and submit annual tax forms, or to pay any appropriate District or federal taxes, as provided in accordance with the laws of the District of Columbia or the United States.

29-398
29-399.13
29-399.16
29-399.22
29-399.23
29-399.24
29-399.26
29-399.29

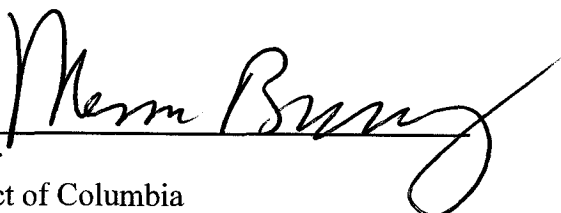
Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(3)).

Sec. 4. This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), approval by the Financial Responsibility and Management Assistance Authority as provided in section 203(a) of the District of Columbia Financial Responsibility and Management Assistance Authority Act of 1995, approved April 17, 1995 (109 Stat. 116; D.C. Code § 47-392.3(a)), and a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: July 22, 1996



COUNCIL OF THE DISTRICT OF COLUMBIA

COUNCIL PERIOD ELEVEN

RECORD OF OFFICIAL COUNCIL VOTE

B11-580

Docket No. _____

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FIRST READING, 06-19-96

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ABSENT _____

CHMN. CLARKE, BRAZIL, JARVIS AND WHITTINGTON

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Charles J. ...
Secretary to the Council

July 11, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

ADOPTED FINAL READING, 07-03-96

VOICE VOTE

APPROVED

RECORDED VOTE ON REQUEST

ABSENT _____

CHAVOUS

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X-indicates no

AB-Absent

NV-Present not voting

CERTIFICATION RECORD

Charles J. ...
Secretary to the Council

July 11, 1996
Date

ITEM ON CONSENT CALENDAR

ACTION & DATE

VOICE VOTE

RECORDED VOTE ON REQUEST

ABSENT _____

ROLL CALL VOTE - Result _____

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Clarke					Jarvis					Smith, Jr.				
Brazil					Lightfoot					Thomas, Sr.				
Chavous					Mason					Whittington				
Cropp					Patterson									
Evans					Ray									

X - Indicates Vote

AB - Absent

NV - Present not Voting

CERTIFICATION RECORD

Secretary to the Council

Date