

HOUSE BILL NO. 504

INTRODUCED BY J. READ

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING CERTAIN FOREIGN CORPORATIONS TO IDENTIFY IN PRINTED PUBLICATIONS THE STATE WHERE HEADQUARTERS ARE LOCATED; AMENDING SECTION 35-1-1104, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 35-1-1104, MCA, is amended to read:

**"35-1-1104. Annual report for secretary of state.** (1) Each domestic corporation and each foreign corporation authorized to transact business in this state shall deliver to the secretary of state, for filing, an annual report, executed as provided in 35-1-217, that sets forth:

- (a) the name of the corporation and the jurisdiction under whose law it is incorporated;
- (b) the information required by 35-7-105(1);
- (c) the business mailing address of its principal office, wherever located;
- (d) the names and business mailing addresses of its principal officers, except that in the case of a corporation that has eliminated its board of directors pursuant to 35-1-820, the annual report must set forth the names of shareholders instead; and
- (e) the names and business mailing addresses of its directors, except that in the case of a corporation that has eliminated its board of directors pursuant to 35-1-820, the annual report must set forth the names of shareholders instead.

(2) Information in the annual report must be current as of the date the annual report is executed on behalf of the corporation.

(3) The first annual report must be delivered to the secretary of state between January 1 and April 15 of the year following the calendar year in which a domestic corporation was incorporated or a foreign corporation was authorized to transact business. Subsequent annual reports must be delivered to the secretary of state between January 1 and April 15.

(4) In addition to the requirements of subsections (1) through (3), any foreign corporation or any business associated with a foreign corporation that describes itself as a publication, newspaper or newspaper publisher,

1 magazine, media company, communications company, or broadcasting company shall affirm that the name of  
2 the state where the main headquarters of the foreign corporation is located is printed in at least a 48-point font  
3 size on the front page or cover of each hard copy edition and on any printed news content that appears online.

4 ~~(4)~~(5) If an annual report does not contain the information required by this section, the secretary of state  
5 shall promptly notify the reporting domestic or foreign corporation in writing and return the report to it for  
6 correction. If the report is corrected to contain the information required by this section and delivered to the  
7 secretary of state within 30 days after the effective date of notice, it is considered to be timely filed."

8

9 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

10

11 NEW SECTION. Section 3. Applicability. [This act] applies to annual reports filed on or after July 1,  
12 2020.

13

- END -