

§826. Execution

Each document delivered to the Secretary of State for filing pursuant to this chapter must be executed in the following manner. [PL 1995, c. 633, Pt. B, §1 (NEW).]

1. Signatures. Except as provided in subsection 2, the documents must be signed as follows:

A. In the case of the initial certificate of limited liability partnership, by one or more partners who are authorized; [PL 2007, c. 323, Pt. E, §14 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

B. In the case of a certificate of amendment, restatement, certificate of correction or any other document filed under this chapter not otherwise provided for, by at least one partner; or [PL 1995, c. 633, Pt. B, §1 (NEW).]

C. In the case of a certificate of renunciation or other document filed after the dissolution of a registered limited liability partnership:

(1) If the partners are winding up the registered limited liability partnership's affairs, then by the contact partner or by a majority in interest of the partners; or

(2) If the partners are not winding up the registered limited liability partnership's affairs, then by all liquidating trustees. [PL 1995, c. 633, Pt. B, §1 (NEW).]

[PL 2007, c. 323, Pt. E, §14 (AMD); PL 2007, c. 323, Pt. G, §4 (AFF).]

2. Signature by agent. Any person may sign any certificate or amendment to a certificate, including an attorney-in-fact. An authorization, including a power of attorney, to sign any certificate or amendment to a certificate need not be in writing, sworn to, verified or acknowledged and need not be filed with the Secretary of State, but if in writing, it must be retained by a partner. [PL 1995, c. 633, Pt. B, §1 (NEW).]

3. Unsworn falsification. The execution of a certificate containing false statements constitutes unsworn falsification under Title 17-A, section 453. [PL 1997, c. 376, §65 (RPR).]

SECTION HISTORY

PL 1995, c. 633, §B1 (NEW). PL 1997, c. 376, §§64,65 (AMD). PL 2007, c. 323, Pt. E, §14 (AMD). PL 2007, c. 323, Pt. G, §4 (AFF).

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