

Senate Commerce Committee

Angela Leach 271-3077

SB 18, eliminating the procedure for reinstating foreign limited liability partnerships.

Hearing Date: January 17, 2017

Members of the Committee Present: Senators Innis, French, Sanborn, Soucy and Lasky

Members of the Committee Absent : None

Bill Analysis: This bill eliminates the procedure for reinstating foreign limited liability partnerships.

Sponsors:
Sen. Birdsell

Who supports the bill: Sponsor

Who opposes the bill: None

Who is neutral on the bill: Adam Schroadter- Assistant Secretary of State

Summary of testimony presented:

Senator Sanborn stated because he owns a business and is a taxpayer he may or may not have a conflict but will be participating in the discussion and vote.

Josh Elliott-Traficante Majority Policy Director for the Senate - introduced the bill on behalf of Senator Regina Birdsell.

Adam Schroadter- Assistant Secretary of State – This legislation creates consistency. Foreign companies that are looking to do business register with SOS to do so. The only one type of business that doesn't need to file a new registration if they fall out of good standing is a Limited Liability Partnership. Consistent with other foreign businesses so that they file new each time.

Senator Sanborn - why are we asking them to go through the entire process, seems like we are going backwards and creating new barriers for businesses?

Adam Schroadter - This is a little different, not effecting their existing status in their home state, consistency for businesses knowing what they do and don't have to do to be authorized to do business here.

Senator Sanborn- Does not change their legal standing in their home state, but the state of NH will not recognize them as an entity so they will have to start from scratch. If you are not paying your certificate, why shouldn't we reinstate them?

Adam Schroadter- in terms of domestic entities, there is a reinstatement process if you have not paid over a certain number of years. In order to reapply you face a daunting reapplication rather than if you

filed a brand new company. You have a lot of extra fees, go through a two-step hearing process. Filing new isn't more difficult.

Senator Innis- Why is there a difference in the first place between domestic and foreign?

Adam Schroadter -I believe because of their corporate existence in a different state, not defining their existence just giving them an authority.

Senator Lasky- why are foreign limited partnerships treated differently?

Adam Schroadter - Seems like just it was just an oversight.

Senator Sanborn- Maybe the Assistant Secretary of State and the Deputy Secretary of State can put their heads together and look at domestics and foreign businesses so that they have the exact same avenue on which to apply and reapply. So everyone knows we are easy to do business with.

AJL

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