

SENATE BILL NO. 516

BY SENATOR CROWE

1 AN ACT

2 To enact Chapter 26 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 12:1701, relative to commercial regulations; to provide relative to the
4 removal of officers, members, managers, or partners of certain business
5 organizations; to provide for judicial review; to provide for the duties of a certain
6 court; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Chapter 26 of Title 12 of the Louisiana Revised Statutes of 1950,
9 comprised of R.S. 12:1701 is hereby enacted to read as follows:

10 **CHAPTER 26. PROVISIONS APPLICABLE TO MORE THAN**

11 **ONE KIND OF BUSINESS ORGANIZATION**

12 **§1701. Judicial review; removal of officers, members, managers, and partners**

13 **A. Should any officer, member, manager, or partner of any corporation,**
14 **limited liability company, or partnership have his name removed from any**
15 **document or record filed with the secretary of state in violation of state law or**
16 **in contravention of any document of creation, organization or management of**
17 **such business entity, the aggrieved party may file suit against the party who**
18 **caused the aggrieved party's name to be removed from such document or**
19 **record.**

20 **B. Such suit shall be filed in the judicial district court where the**
21 **business entity is domiciled.**

22 **C. The secretary of state shall be made a party to the suit.**

23 **D. The court shall conduct a hearing within ten days after service of**
24 **process of the suit on all parties.**

25 **E. Should the court find that the name of the aggrieved party was**
26 **improperly or fraudulently removed from the documents and records of the**
27 **secretary of state, the court shall order the secretary of state to replace the**

1 name of the aggrieved party on to all appropriate documents and records of the
2 secretary of state.

3 F. Nothing in this Section shall be construed to supercede or conflict
4 with the provisions of R.S. 12:208.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____