

3-29-16 . Certificate of association.

A. The members of an association shall execute a certificate setting forth:

- (1) the name of the association;
- (2) the name of the individuals organizing the association;
- (3) the location of the principal office of the association in this state;
- (4) the objects and purposes of the association;
- (5) the address of the initial registered office of the association and the name of the initial registered agent at that address;
- (6) the plan and manner of acquiring membership and of providing funds or means for the acquisition, construction, improvement and maintenance of its work and for its necessary expenses;
- (7) the duration of existence of the association, which may be perpetual;
- (8) the number and manner of electing the board of directors of the association and the length of the terms that the directors will serve;
- (9) the definition of a member of the association and the voting rights associated with the membership; and
- (10) the manner of dissolution of the association as a public body.

B. Pursuant to the registered agent requirement of Paragraph (5) of Subsection A of this section, there shall be attached to the certificate a statement executed by the registered agent in which the agent acknowledges acceptance of the appointment by the filing association, if the agent is an individual, or a statement executed by an authorized officer of a corporation in which the officer acknowledges the corporation's acceptance of the appointment by the filing association as its registered agent, if the agent is a corporation.

C. The certificate or any amendment thereof made as provided in Section [3-29-19](#) NMSA 1978 may also contain provisions not inconsistent with the Sanitary Projects Act or other law of this state that the organizers may choose to insert for the regulation and conduct of the business and affairs of the association. There shall accompany each certificate a list to show the total number of members of the association and the total number of dwelling units served by the association at the time of filing.

History: 1953 Comp., § 14-28-16, enacted by Laws 1965, ch. 300; 2001, ch. 200, § 2; 2003, ch. 318, § 1; 2006, ch. 60, § 11.