

**53-20-6 . Application for certificate of authority.**

A. A foreign business trust, in order to obtain a certificate of authority to transact business in this state, shall make application to the public regulation commission [secretary of state]. The application shall set forth:

(1) the name of the foreign business trust and, if different, the name under which it proposes to transact business in this state;

(2) the date of declaration of trust;

(3) the address of the principal office of the foreign business trust in the state or country under the laws of which it is organized;

(4) the address of the registered office of the foreign business trust in this state, the name of its registered agent in this state at that address and an acceptance of the appointment signed by the agent appointed; and

(5) the purposes of the foreign business trust that it proposes to pursue in the transaction of business in this state.

B. The application shall be made on forms prescribed and furnished by the public regulation commission [secretary of state] or on forms containing substantially the same information as forms prescribed by the commission [secretary of state] and shall be executed by a person with authority to do so under the laws of the state or jurisdiction of its formation.

C. A foreign business trust shall deliver with the completed application a certificate of existence, or a document of similar import, duly authenticated by the secretary of state or other official having custody of trust records in the state or jurisdiction under whose law it is created.

**History:** Laws 2001, ch. 200, § 88; 2003, ch. 318, § 60.