

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1278

5 By: Representatives Gazaway, M. Shepherd
6 By: Senators C. Tucker, J. Bryant
7

For An Act To Be Entitled

8
9 AN ACT TO MAKE TECHNICAL CORRECTIONS TO TITLE 4 OF
10 THE ARKANSAS CODE CONCERNING BUSINESS AND COMMERCIAL
11 LAW; AND FOR OTHER PURPOSES.
12
13

Subtitle

14
15 TO MAKE TECHNICAL CORRECTIONS TO TITLE 4
16 OF THE ARKANSAS CODE CONCERNING BUSINESS
17 AND COMMERCIAL LAW.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 4-26-1001(9)(C), concerning the definition
23 of "organizational documents" because a different term is now used in the
24 Uniform Limited Liability Company Act, Acts 2021, No. 1041, codified at § 4-
25 38-101 et seq., is amended to read as follows:

26 (C) For a domestic or foreign limited liability company,
27 its ~~articles of organization~~ certificate of organization and operating
28 agreement or the comparable records provided for in its governing statute;
29

30 SECTION 2. Arkansas Code § 4-27-1101(9)(C), concerning the definition
31 of "organizational documents" because a different term is now used in the
32 Uniform Limited Liability Company Act, Acts 2021, No. 1041, codified at § 4-
33 38-101 et seq., is amended to read as follows:

34 (C) For a domestic or foreign limited liability company,
35 its ~~articles of organization~~ certificate of organization and operating
36 agreement, or the comparable records provided for in its governing statute;



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2 SECTION 3. Arkansas Code § 4-37-102(13), concerning the definition of
3 "manager" or "managers" because a different term is now used in the Uniform
4 Limited Liability Company Act, Acts 2021, No. 1041, codified at § 4-38-101 et
5 seq., is amended to read as follows:

6 (13) "Manager" or "managers" means, with respect to a limited
7 liability company that has set forth in its ~~articles of organization~~
8 operating agreement that it is to be managed by managers, the person or
9 persons designated in accordance with § 4-38-407.

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11 SECTION 4. Arkansas Code § 4-46-901(9)(C), concerning the definition
12 of "organizational documents" because a different term is now used in the
13 Uniform Limited Liability Company Act, Acts 2021, No. 1041, codified at § 4-
14 38-101 et seq., is amended to read as follows:

15 (C) For a domestic or foreign limited liability company,
16 its ~~articles of organization~~ certificate of organization and operating
17 agreement, or the comparable records as provided in its governing statute;
18

19 SECTION 5. Arkansas Code § 4-47-1101(9)(C), concerning the definition
20 of "organizational documents" because a different term is now used in the
21 Uniform Limited Liability Company Act, Acts 2021, No. 1041, codified at § 4-
22 38-101 et seq., is amended to read as follows:

23 (C) for a domestic or foreign limited liability company,
24 its ~~articles of organization~~ certificate of organization and operating
25 agreement, or comparable records as provided in its governing statute;
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27 SECTION 6. Arkansas Code § 4-70-201(c), concerning the applicability
28 of the subchapter of business under assumed names because a different term is
29 now used in the Uniform Limited Liability Company Act, Acts 2021, No. 1041,
30 codified at § 4-38-101 et seq., is amended to read as follows:

31 (c) This subchapter shall not apply to any limited liability company
32 which has filed its ~~articles of organization~~ certificate of organization with
33 the Secretary of State pursuant to § 4-38-201.
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35 SECTION 7. DO NOT CODIFY. CONSTRUCTION AND LEGISLATIVE INTENT.

36 It is the intent of the General Assembly that:

