

CHAPTER 164

(House Bill 223)

AN ACT concerning

Corporations – Forfeiture

FOR the purpose of altering the method of notice upon forfeiture of the charter of a Maryland corporation; repealing the requirement that the Department of Assessments and Taxation publish a proclamation in certain newspapers upon forfeiting certain corporate charters; providing for the forfeiture of certain corporate charters based on the failure to file an annual report or pay a tax; and altering certain procedural requirements for the forfeiture of certain corporate charters.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 3-503 and 3-504

Annotated Code of Maryland

(1985 Replacement Volume and 1990 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Corporations and Associations

3-503.

(a) (1) Except with respect to a tax collectable locally, immediately after September 30 of each year, the State Comptroller shall certify to the Department a list of every Maryland corporation which has not paid a tax due by it before October 1 of the year after the tax became due.

(2) When he certifies the list to the Department, the Comptroller shall mail to each listed corporation, at its address as it appears on his records, a notice that its charter will be repealed, annulled, and forfeited unless all taxes, interest, and penalties due by it are paid.

(3) The mailing of the notice is sufficient, and the failure of any corporation to receive the notice mailed to it does not affect the repeal, annulment, and forfeiture of its charter.

(b) Immediately after September 30 of each year, the Department shall certify a list of every Maryland corporation which has not filed an annual report with the Department as required by law or has not paid [franchise or gross receipts taxes] A TAX before October 1 of the year after the report was required to be filed or the taxes were due.

(c) After the lists are certified, the Department shall issue a proclamation