

#### **14A.2-040 Filing of documents by county clerk.**

- (1) Except as provided in subsection (2) of this section, one (1) exact or conformed copy of each of the following documents shall be filed with the county clerk of the county in which the entity or foreign entity maintains its registered office:
  - (a) Articles of incorporation and all amendments thereto;
  - (b) Articles of organization and all amendments thereto;
  - (c) Certificate of limited partnership and all amendments thereto;
  - (d) Declaration of trust for a business trust or certificate of trust for a statutory trust and all amendments thereto;
  - (e) Application for a certificate of authority;
  - (f) Amendment to a certificate of authority;
  - (g) Withdrawal of a certificate of authority;
  - (h) Articles of merger;
  - (i) A statement of change of principal office address filed pursuant to KRS 14A.5-010 or predecessor law;
  - (j) A statement of change of registered office or registered agent or both filed pursuant to KRS 14A.4-020 or predecessor law; and
  - (k) Articles of association and all amendments thereto.
- (2) The articles of incorporation of a rural electric cooperative or a rural telephone cooperative, all amendments thereto, and all articles of merger involving a rural electric cooperative or rural telephone cooperative shall be filed with the county clerk in which is maintained the principal office address.
- (3) Annual reports filed with the Secretary of State pursuant to KRS 14A.6-010 or predecessor law need not be filed with the county clerk.
- (4) The county clerk shall receive a fee as provided in KRS 64.012 for each filing made pursuant to subsection (1) or (2) of this section.
- (5) The county clerk shall receive a fee pursuant to KRS 64.012 for recording and issuing reports, articles, and statements pertaining to an entity or foreign entity.
- (6) Any amendment to articles of incorporation or a certificate of limited partnership that was itself not required to be filed with the Secretary of State under the law applicable at the time of incorporation or organization shall be filed by the county clerk notwithstanding the absence of a prior filing with the Secretary of State.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 81, sec. 79, effective July 12, 2012; and ch. 160, sec. 128, effective July 12, 2012. -- Created 2010 Ky. Acts ch. 151, sec. 11, effective January 1, 2011.

**Legislative Research Commission Note (7/12/2012).** This statute was amended by 2012 Ky. Acts chs. 81 and 160, which do not appear to be in conflict and have been codified together.