

MARYLAND REGISTER

Proposed Action on Regulations

Transmittal Sheet PROPOSED OR REPROPOSED Actions on Regulations	Date Filed with AELR Committee	TO BE COMPLETED BY DSD
	09/06/2016	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

1. Desired date of publication in Maryland Register: 10/28/2016

2. COMAR Codification

Title Subtitle Chapter Regulation

18 04 11 01

3. Name of Promulgating Authority

Department of Assessments and Taxation

4. Name of Regulations Coordinator Telephone Number
Jeffrey G Comen 4107671282

Mailing Address

301 W. Preston St., 8th Floor

City State Zip Code
Baltimore MD 21201

Email
jeffrey.comen@maryland.gov

5. Name of Person to Call About this Document Telephone No.
Paula McLean 410-767-1357

Email Address
paula.mclean@maryland.gov

6. Check applicable items:

New Regulations

Amendments to Existing Regulations

 Date when existing text was downloaded from COMAR online: .

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R

(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

7. Is there emergency text which is identical to this proposal:

Yes No

8. Incorporation by Reference

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

9. Public Body - Open Meeting

OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to General Provisions Article, §3-302(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

10. Children's Environmental Health and Protection

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

11. Certificate of Authorized Officer

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Jeffrey G. Comen, General Counsel, (telephone #410-767-1280) on 9/6/16. A written copy of the approval is on file at this agency.

Name of Authorized Officer

Sean P. Powell

Title

Director

Telephone No.

410-767-1194

Date

9/6/16

Title 18
DEPARTMENT OF ASSESSMENTS AND TAXATION
Subtitle 04 BUSINESS ORGANIZATIONS
18.04.11 Prohibited Filings

Authority: Corporations and Associations Article, §1-201.1(c), Annotated Code of Maryland

Notice of Proposed Action

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The Director of the Department of Assessments & Taxation proposes to adopt a new Regulation .01 under a new chapter COMAR 18.04.11 Prohibited Filings.

Statement of Purpose

The purpose of this action is to adopt by regulation, pursuant to Ch. 653, Acts of 2016, a form of affidavit that will be used for the purposes set forth in Corporations and Associations Article, §1-201.1(c), Annotated Code of Maryland.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Paula McLean, Acting Administrator, Department of Assessments & Taxation, 301 W. Preston Street, 8th Floor, Baltimore, MD 21201, or call 410-767-1357, or email to paula.mclean@maryland.gov, or fax to 410-333-7097. Comments will be accepted through 11/28/16. A public hearing has not been scheduled.

Economic Impact Statement Part C

- A. Fiscal Year in which regulations will become effective: FY 2017
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
Yes
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
General
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
Mere publication of a form
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
Mere publication of a form
- G. Small Business Worksheet:
Mere publication of a form

Attached Document:

Title 18
DEPARTMENT OF ASSESSMENTS AND
TAXATION

Subtitle 04 BUSINESS ORGANIZATIONS

Chapter 11 Prohibited Filings

Authority: Corporations and Associations Article, §1-201.1(c), Annotated Code of Maryland

.01 Affidavits.

The affidavit forms required by Commercial Law Article, §1-201.1(c), Annotated Code of Maryland, are adopted and the Department has them available to provide to the public.

Department Identification Number: _____
Entity Name: _____
Date of Filing: _____

**AFFIDAVIT REGARDING RECORDED GOVERNING OR CHARTER
DOCUMENT UNDER CORPORATIONS & ASSOCIATIONS ARTICLE, §1-201.1**

I, _____, hereby certify:

1. I am eighteen years of age or older, have personal knowledge and sufficient experience to testify to the matters stated herein and am competent to be a witness in a legal proceeding.

2. I am (check one):

A Person Described in Corporations & Associations Article, [1-201.1\(b\)\(1\)](#).

A Resident Agent or Other Authorized Person Described in Corporations & Associations Article, §1-201.1(b)(2)

3. I believe a governing or charter document recorded in connection with the entity identified above (check one):

IS NOT a prohibited filing under Corporations & Associations Article, §1-201.1(a)

IS a prohibited filing under Corporations & Associations Article, §1-201.1(a)

4. The factual basis for my belief indicated above is as follows (continue on back if necessary):

a.

b.

c.

d.

e.

5. Documents are attached which support the factual basis for my belief indicated above.

Department Identification Number: _____
Entity Name: _____
Date of Filing: _____

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of this Affidavit are true.

Signature

Date

OR

I solemnly affirm under the penalties of perjury the contents of this Affidavit are true to the best of my information, knowledge and belief.

Signature

Date

Printed Name and Address of Person Signing Affidavit:

Please print, sign and mail to:

State Department of Assessments and Taxation,
ATTN: Charter Legal Fraudulent Filing Allegation
301 W. Preston Street; 8th Floor
Baltimore, MD 21201-2395

Or

Print, sign and e-mail to:
sdatt.charterhelp@maryland.gov with Charter Legal Fraudulent Filing Allegation in the subject line.