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**SENATE BILL 5262**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senator Braun

1 AN ACT Relating to amending the filing deadlines for cemetery  
2 districts to file annual reports with the secretary of state; and  
3 amending RCW 23.95.255.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 23.95.255 and 2021 c 176 s 5102 are each amended to  
6 read as follows:

7 (1) A domestic entity other than a limited liability partnership  
8 or nonprofit corporation shall, within one hundred twenty days of the  
9 date on which its public organic record became effective, deliver to  
10 the secretary of state for filing an initial report that states the  
11 information required under subsection (2) of this section.

12 (2) A domestic entity or registered foreign entity shall deliver  
13 to the secretary of state for filing an annual report that states:

14 (a) The name of the entity and its jurisdiction of formation;

15 (b) The name and street and mailing addresses of the entity's  
16 registered agent in this state;

17 (c) The street and mailing addresses of the entity's principal  
18 office;

19 (d) In the case of a registered foreign entity, the street and  
20 mailing address of the entity's principal office in the state or  
21 country under the laws of which it is incorporated;

- 1 (e) The names of the entity's governors;  
2 (f) A brief description of the nature of the entity's business;  
3 (g) The entity's unified business identifier number;  
4 (h) In the case of a nonprofit corporation, the corporation's  
5 federal employer identification number; and  
6 (i) In the case of a nonprofit corporation, any information  
7 required under RCW 24.03A.075.

8 (3) Information in an initial or annual report must be current as  
9 of the date the report is executed by the entity.

10 (4) (a) Annual reports must be delivered to the secretary of state  
11 on a date determined by the secretary of state and at such additional  
12 times as the entity elects.

13 (b) The secretary of state shall align the delivery date of the  
14 annual report with the expiration dates set forth under RCW 68.05.245  
15 if elected by a cemetery authority. The secretary of state may adopt  
16 rules to implement this subsection.

17 (5) If an initial or annual report does not contain the  
18 information required by this section, the secretary of state promptly  
19 shall notify the reporting entity in a record and return the report  
20 for correction.

21 (6) If an initial or annual report contains the name or address  
22 of a registered agent that differs from the information shown in the  
23 records of the secretary of state immediately before the annual  
24 report becomes effective, the differing information in the initial or  
25 annual report is considered a statement of change under RCW  
26 23.95.430.

27 (7) The secretary of state shall send to each domestic entity and  
28 registered foreign entity, not less than thirty or more than ninety  
29 days prior to the expiration date of the entity's annual renewal, a  
30 notice that the entity's annual report must be filed as required by  
31 this chapter and that any applicable annual renewal fee must be paid,  
32 and stating that if the entity fails to file its annual report or pay  
33 the annual renewal fee it will be administratively dissolved. The  
34 notice may be sent by postal or email as elected by the entity,  
35 addressed to its registered agent within the state, or to an  
36 electronic address designated by the entity in a record retained by  
37 the secretary of state. Failure of the secretary of state to provide  
38 any such notice does not relieve a domestic entity or registered  
39 foreign entity from its obligations to file the annual report  
40 required by this chapter or to pay any applicable annual renewal fee.

1 The option to receive the notice provided under this section by email  
2 may be selected only when the secretary of state makes the option  
3 available.

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