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SENATE BILL 5063

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State of Washington

55th Legislature

1997 Regular Session

By Senators Roach, Haugen, Johnson and Winsley; by request of Secretary of State

Read first time 01/13/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to names of corporations and units of government;  
2 adding a new section to chapter 23B.14 RCW; adding a new section to  
3 chapter 24.03 RCW; adding a new section to chapter 24.06 RCW; adding a  
4 new section to chapter 24.12 RCW; adding a new section to chapter 24.20  
5 RCW; adding a new section to chapter 24.24 RCW; adding a new section to  
6 chapter 24.28 RCW; and adding a new section to chapter 23.86 RCW.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 23B.14 RCW  
9 to read as follows:

10 (1) Any county, city, town, district, or other political  
11 subdivision of the state, or the state of Washington or any department  
12 or agency of the state, may apply to the secretary of state for the  
13 administrative dissolution, or the revocation of a certificate of  
14 authority, of any corporation using a name that is not distinguishable  
15 from the name of the applicant for dissolution. The application must  
16 state the precise legal name of the governmental entity and its date of  
17 formation and the applicant shall mail a copy to the corporation's  
18 registered agent. If the name of the corporation is not  
19 distinguishable from the name of the applicant, then, except as

1 provided in subsection (4) of this section, the secretary shall  
2 commence proceedings for administrative dissolution under RCW  
3 23B.14.210.

4 (2) A name may not be considered distinguishable by virtue of:

5 (a) A variation in any of the following designations, or in the  
6 order in which the designation appears with respect to other words in  
7 the name: "County"; "city"; "town"; "district"; or "department";

8 (b) The addition of any of the designations listed in RCW  
9 23B.04.010(1)(a);

10 (c) The addition or deletion of an article or conjunction such as  
11 "the" or "and" from the same name;

12 (d) Punctuation, capitalization, or special characters or symbols  
13 in the same name; or

14 (e) Use of abbreviation or the plural form of a word in the same  
15 name.

16 (3)(a) The following are not distinguishable for purposes of this  
17 section:

18 (i) "City of Anytown" and "City of Anytown, Inc."; and

19 (ii) "City of Anytown" and "Anytown City."

20 (b) The following are distinguishable for purposes of this section:

21 (i) "City of Anytown" and "Anytown, Inc.";

22 (ii) "City of Anytown" and "The Anytown Company"; and

23 (iii) "City of Anytown" and "Anytown Cafe, Inc."

24 (4) If the corporation that is the subject of the application was  
25 incorporated or certified before the formation of the applicant as a  
26 governmental entity, then this section applies only if the applicant  
27 for dissolution provides a certified copy of a final judgment of a  
28 court of competent jurisdiction determining that the applicant holds a  
29 superior property right to the name than does the corporation.

30 (5) The duties of the secretary of state under this section are  
31 ministerial.

32 NEW SECTION. **Sec. 2.** A new section is added to chapter 24.03 RCW  
33 to read as follows:

34 Section 1 of this act applies to this chapter.

35 NEW SECTION. **Sec. 3.** A new section is added to chapter 24.06 RCW  
36 to read as follows:

37 Section 1 of this act applies to this chapter.

1        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 24.12 RCW  
2 to read as follows:

3        Section 1 of this act applies to this chapter.

4        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 24.20 RCW  
5 to read as follows:

6        Section 1 of this act applies to this chapter.

7        NEW SECTION.    **Sec. 6.**    A new section is added to chapter 24.24 RCW  
8 to read as follows:

9        Section 1 of this act applies to this chapter.

10       NEW SECTION.    **Sec. 7.**    A new section is added to chapter 24.28 RCW  
11 to read as follows:

12       Section 1 of this act applies to this chapter.

13       NEW SECTION.    **Sec. 8.**    A new section is added to chapter 23.86 RCW  
14 to read as follows:

15       Section 1 of this act applies to this chapter.

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