

By: Watson, et al.
(Villalba)

S.B. No. 1313

A BILL TO BE ENTITLED

AN ACT

relating to the names of certain businesses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 5.053(b), Business Organizations Code, is amended to read as follows:

(b) Subsection (a) does not apply if the other entity or the person for whom the name is reserved or registered, as appropriate, provides to the secretary of state a notarized written statement of the entity's or person's consent ~~[consents in writing]~~ to the use of the similar name.

SECTION 2. Section 5.102(b), Business Organizations Code, is amended to read as follows:

(b) Subsection (a) does not apply if the other entity or the person for whom the name is reserved or registered, as appropriate, provides to the secretary of state a notarized written statement of the entity's or person's consent ~~[consents in writing]~~ to the subsequent reservation of the similar name.

SECTION 3. Section 5.153(b), Business Organizations Code, is amended to read as follows:

(b) Subsection (a) does not apply if:

(1) the other entity or the person for whom the name is reserved or registered, as appropriate, provides to the secretary of state a notarized written statement of the entity's or person's consent ~~[consents in writing]~~ to the registration of the similar

1 name; or

2 (2) the applicant is a bank, trust company, savings
3 association, or insurance company that has been in continuous
4 existence from a date that precedes the date the conflicting name is
5 filed with the secretary of state.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2015.