

The Florida Senate
HOUSE MESSAGE SUMMARY

[2007s0252.hms.doc]

BILL: CS/CS/SB 252
INTRODUCER: Judiciary Committee, Commerce Committee and Senators Aronberg and Joyner
SUBJECT: Uniform Commercial Code
PREPARED BY: Senate Committee on Commerce
DATE: May 3, 2007

I. Amendments Contained in Message:

House Amendment 1- 316923 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 This amendment is the substance of CS/SB 2148 (on 3rd Reading in the Senate) and HB 243, an act related to Limited Liability Companies. This amendment requires limited liability companies (LLC) registered with the Department of State (DOS) to be distinguishable in the databases maintained by the Division of Corporations within DOS. There are three exceptions:

- Fictitious name registrations filed pursuant to s. 865.09, F.S., which provides for certain conditions when a person may register a fictitious name with DOS;
- General partnerships registered under s. 620.8105, F.S.; and
- Limited liability company names which the owner entity has given written consent and the written consent is filed at the time of the registration of such name.

In addition, this amendment prohibits the Department of State from continuing to record duplicate names. Accordingly, an LLC may not register with the DOC under the registered name of another LLC.