

1 AN ACT  
2 RELATING TO CORPORATIONS; CHANGING THE BIENNIAL REPORT DUE  
3 DATE FOR CERTAIN CORPORATIONS.  
4

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

6 SECTION 1. Section 53-5-2 NMSA 1978 (being Laws 1978,  
7 Chapter 9, Section 1, as amended) is amended to read:

8 "53-5-2. CORPORATE AND SUPPLEMENTAL REPORTS.--

9 A. Pursuant to rules that the secretary of state  
10 adopts to implement this section, a domestic or foreign  
11 corporation that is not exempted shall file in the office of  
12 the secretary of state within thirty days after the date on  
13 which its certificate of incorporation or its certificate of  
14 authority, as the case may be, is issued by the secretary of  
15 state, and biennially thereafter on or before the fifteenth  
16 day of the fourth month following the end of its taxable  
17 year, a corporate report in the form prescribed and furnished  
18 to the corporation not less than thirty days prior to such  
19 reporting date, by the secretary of state, and signed and  
20 sworn to by the chair of the board, president, vice  
21 president, secretary, principal accounting officer or  
22 authorized agent of the corporation, showing among other  
23 information prescribed by the secretary of state:

24 (1) the current status of:

25 (a) the name of the corporation;

1 (b) the mailing address and: 1) street  
2 address if within a municipality; or 2) rural route number  
3 and box number or the geographical location, using well-known  
4 landmarks, if outside a municipality, of the corporation's  
5 registered office in this state and the name of the agent  
6 upon whom process against the corporation may be served;

7 (c) the names and addresses of all the  
8 directors and officers of the corporation and when the term  
9 of office of each expires;

10 (d) the address of the corporation's  
11 principal place of business within the state and, if a  
12 foreign corporation, the address of its registered office in  
13 the state or country under the laws of which it is  
14 incorporated and the principal office of the corporation, if  
15 different from the registered office; and

16 (e) the date for the next annual  
17 meeting of the shareholders for the election of directors;  
18 and

19 (2) the corporation's taxpayer  
20 identification number issued by the revenue processing  
21 division of the taxation and revenue department.

22 B. When the secretary of state receives a report  
23 required to be filed by a corporation under the Corporate  
24 Reports Act, the secretary of state shall determine if the  
25 report conforms to the requirements of this section. If the

1 secretary of state finds that the report conforms, it shall  
2 be filed. If the secretary of state finds that the report  
3 does not conform, the secretary of state shall promptly  
4 return the report to the corporation for any necessary  
5 corrections, in which event the penalties prescribed in the  
6 Corporate Reports Act for failure to file the report in the  
7 time provided shall not apply if the report is corrected and  
8 returned to the secretary of state within thirty days from  
9 the date on which it was mailed to the corporation by the  
10 secretary of state.

11 C. The secretary of state may refuse to file a  
12 corporate report or a supplemental report received from a  
13 corporation that has not paid all fees, including penalties  
14 and interest due and payable, to the secretary of state at  
15 the time of filing. However, if the corporation and the  
16 secretary of state are engaged in any adversary proceeding  
17 over the assessment of any fees, the secretary of state shall  
18 file the report of the corporation upon its submission to the  
19 secretary of state.

20 D. A supplemental report shall be filed with the  
21 secretary of state within thirty days if, after the filing of  
22 the corporate report required under the Corporate Reports  
23 Act, a change is made in:

24 (1) the mailing address, street address,  
25 rural route number and box number or the geographical

