

2012 Kansas Statutes

17-7683. Certificate of correction. (a) Whenever any articles or certificate authorized to be filed with the secretary of state under any provision of this act has been so filed and is inaccurate in any respect or was defectively or erroneously executed, such articles or certificate may be corrected by filing with the secretary of state a certificate of correction of such articles or certificate. The certificate of correction shall specify the inaccuracy or defect to be corrected, shall set forth the portion of the articles or certificate in corrected form and shall be executed and filed as required by this act. The certificate of correction shall be effective as of the date the original articles or certificate was filed, except as to those persons who are substantially and adversely affected by the correction, and as to those persons the certificate of correction shall be effective from the filing date.

(b) In lieu of filing a certificate of correction, articles or a certificate may be corrected by filing with the secretary of state a corrected certificate which shall be executed and filed as if the corrected certificate were the articles or certificate being corrected, and a fee equal to the fee payable to the secretary of state if the articles or certificate being corrected were then being filed shall be paid and collected by the secretary of state for the use of the state of Kansas in connection with the filing of the corrected certificate. The corrected certificate shall be specifically designated as such in its heading, shall specify the inaccuracy or defect to be corrected, and shall set forth the entire articles or certificate in corrected form. Articles or a certificate corrected in accordance with this section shall be effective as of the date the original articles or certificate was filed, except as to those persons who are substantially and adversely affected by the correction and as to those persons the articles or certificate as corrected shall be effective from the filing date.

(c) The secretary of state may correct the secretary's own errors on the secretary's own motion.

History: L. 1999, ch. 119, § 22; Jan. 1, 2000.