

§858-A. Effect of failure to qualify

1. No action or proceeding until granted authority; fees paid. A foreign limited liability partnership transacting business in this State may not maintain an action or proceeding in this State until it is granted authority to do business in this State and pays to the State all fees and penalties for the years or parts of years during which it did business in this State without having been granted authority to do business.

[PL 2005, c. 543, Pt. B, §7 (NEW); PL 2005, c. 543, Pt. B, §15 (AFF).]

2. Validity of contract or act; defend action or proceeding. The failure of a foreign limited liability partnership to obtain authority to do business in this State in accordance with this chapter does not impair the validity of a contract or act of the foreign limited liability partnership or preclude it from defending an action or proceeding in this State.

[PL 2005, c. 543, Pt. B, §7 (NEW); PL 2005, c. 543, Pt. B, §15 (AFF).]

3. Limitation on personal liability. A limitation on personal liability of a partner is not waived solely by transacting business in this State without being granted authority to do business in this State.

[PL 2005, c. 543, Pt. B, §7 (NEW); PL 2005, c. 543, Pt. B, §15 (AFF).]

4. Agent for service of process. If a foreign limited liability partnership transacts business in this State without being granted the authority to do business in this State, the Secretary of State is its agent for service of process with respect to a right of action arising out of the transaction of business in this State.

[PL 2005, c. 543, Pt. B, §7 (NEW); PL 2005, c. 543, Pt. B, §15 (AFF).]

SECTION HISTORY

PL 2005, c. 543, §B7 (NEW). PL 2005, c. 543, §B15 (AFF).

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