

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Civil Justice & Claims
2 Subcommittee

3 Representative Moraitis offered the following:

Amendment (with title amendment)

6 Between lines 396 and 397, insert:

7 (8) If, with respect to the formation of an entity or the
8 conversion of any entity into another form of entity, regardless
9 of the local law of such entity, it is subsequently determined
10 that, as a result of such formation or conversion, a holder of
11 equity interests in such entity violated any other provisions of
12 this chapter, such formation or conversion shall not
13 presumptively be deemed to be voidable, and the creditors of
14 such member shall have available all other remedies and actions
15 under this Act. For purposes of this subsection (8), "entity"
16 shall be defined as provided in s. 605.0102(23) notwithstanding

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17 the fact that such entity may be organized under the laws of a
18 foreign jurisdiction.

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T I T L E A M E N D M E N T

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Remove line 19 and insert:

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not voidable; providing that certain actions related to the

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formation or conversion of an entity are not voidable; imposing

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the burden of proving certain