

17-7683. Certificate of correction. (a) Whenever any articles of organization or certificate authorized to be filed with the secretary of state under any provision of this act has been so filed and is an inaccurate record of the action therein referred to, or was defectively or erroneously executed, such articles of organization or certificate may be corrected by filing with the secretary of state a certificate of correction of such articles of organization or certificate. The certificate of correction shall specify the inaccuracy or defect to be corrected, shall set forth the portion of the articles of organization 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 of organization 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 of organization or a certificate may be corrected by filing with the secretary of state corrected articles of organization or a corrected certificate which shall be executed and filed as if the corrected articles of organization or certificate were the articles of organization or certificate being corrected, and a fee equal to the fee payable to the secretary of state if the articles of organization 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 articles of organization or certificate. The corrected articles of organization or certificate shall be specifically designated as such in their or its heading, shall specify the inaccuracy or defect to be corrected, and shall set forth all articles of organization or the entire certificate in corrected form. Articles of organization or a certificate corrected in accordance with this section shall be effective as of the date the original articles of organization 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 of organization 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; L. 2014, ch. 40, § 19; July 1.