

## **BILL ANALYSIS**

Senate Research Center  
80R2017 DWS-D

S.B. 848  
By: Eltife  
Transportation & Homeland Security  
3/9/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Article 6263, Revised Statutes, and Subdivision 2, Article 6271, Revised Statutes, require railroad corporations to submit articles of incorporation including amendments to the attorney general for review. These statutes date back to 1876. Additionally, all railroad corporations transacting or seeking to transact business in this state are required to file articles of incorporation with the secretary of state. This creates a duplicative filing procedure for railroad corporations.

As proposed, S.B. 848 repeals the statutes requiring the filing of railroad articles of incorporation with the attorney general, but such articles would continue to be filed with the secretary of state.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. (1) Repealer: Article 6263, Revised Statutes (requiring the articles of incorporation of a railroad, when so prepared, adopted, and signed, to be submitted to the attorney general, and, if he finds them to be in accordance with the provisions of this chapter and not in conflict with the laws of the United States or of this State, requires the attorney general to attach thereto a certificate to that effect).

(2) Repealer: Subdivision 2, Article 6271, Revised Statutes (requiring any amendments or changes to a railroad corporation's articles or act of incorporation to be submitted to the attorney general, as in the case of original articles of incorporation, and examined and certified by the attorney general in the same manner).

SECTION 2. Effective date: upon passage or September 1, 2007.