

**CHAPTER 341****(SB 120)**

AN ACT proposing an amendment to Sections 190, 191, 192, 193, 194, 198, 200, 202, 203, 207, and 208 of the Constitution of Kentucky relating to corporations.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

Section 1. It is proposed that Section 190 of the Constitution of Kentucky be amended to read as follows:

*Except as otherwise provided by the Constitution of Kentucky, the General Assembly shall, by general laws only, provide for the formation, organization, and regulation of corporations. Except as otherwise provided by the Constitution of Kentucky, the General Assembly shall also, by general laws only, prescribe the powers, rights, duties, and liabilities of corporations and the powers, rights, duties, and liabilities of their officers and stockholders or members*~~[No corporation in existence at the time of the adoption of this Constitution shall have the benefit of future legislation without first filing in the office of the Secretary of State an acceptance of the provisions of this Constitution].~~

Section 2. It is proposed that the present Constitution of Kentucky be amended by repealing the following sections:

191 Unexercised charters granted prior to constitution revoked.

192 Corporations restricted to charter authority--Holding of real estate limited.

193 Stock or bonds to be issued only for money or for property or labor at market value--Watered stock void.

194 Corporations to have place of business and process agent in state.

198 Trusts and combinations in restraint of trade to be prevented.

200 Domestic corporation consolidating with foreign does not become foreign.

202 Foreign corporations not to be given privileges over domestic.

203 Liabilities under corporate franchise not released by lease or alienation.

207 Cumulative voting for directors of corporations--Proxies.

208 "Corporation" includes joint stock company or association.

Section 3. This amendment shall be submitted to the voters of the Commonwealth for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution and under KRS 118.415. The question submitted to the voters shall read as follows: "Are you in favor of permitting the General Assembly to provide by general law for the formation, organization, and regulation of corporations by repealing certain sections of the Constitution of Kentucky relating to corporations?"

**Governor's signature not required**