

MEMORANDUM

TO: DRAFTING COMMITTEE ON RECORD OWNERS
OF BUSINESSES ACT

FROM: Harry J. Haynsworth, Chair

DATE: March 4, 2008

RE: **Status Report**

This Act will not be on the agenda for final approval at the Annual Meeting this summer. Rather it will be a First Reading with the Second Reading anticipated to take place at the NCCUSL 2009 Annual Meeting. Thus, this Act will follow the normal two-reading approval path.

Bill Clark is working on a revised draft that will incorporate the changes we agreed upon at our meeting in January. It will also include any major different or additional substantive changes to the Model Business Corporation Act recommended by the Committee on Corporate Laws which should also be applicable to unincorporated entities. The Corporate Laws Committee meets in April. Bill's revised draft will be circulated for review by the Drafting Committee. We will not have a formal meeting to discuss it, but it may be desirable to have the Drafting Committee discuss the revision, which will become the draft considered at the July Annual Meeting, by conference call, if a significant number of the Drafting Committee members think this would be useful.

Federal officials continue to insist that we construct a beneficial ownership/control recordkeeping system as part of the U.S. business entity statutes. Some of the major issues involved in this type of proposal are outlined in a separate memorandum on this topic I recently wrote.

HJH/nr
Attach.