

## **21 NCAC 38 .0703            CERTIFICATE OF REGISTRATION**

The Certificate of Registration shall be issued as follows:

- (1) The legal counsel or administrator shall issue a Certificate of Registration (Corp. Form 02) for the professional corporation to become effective only when the professional corporation files the articles of incorporation with the Secretary of State and if:
  - (a) the legal counsel or administrator of the Board finds that no disciplinary action is pending before the Board against any of the licensed incorporators or persons who will be directors, officers, or shareholders of such corporation; and
  - (b) it appears to the legal counsel or administrator that such corporation will be conducted in compliance with the law and rules.
- (2) The proposed original articles of incorporation, and the Certificate of Registration, shall be returned to the incorporators for filing with the Secretary of State. The copy of the articles and a copy of the certification shall be retained in the administrative offices of the Board. If the required findings cannot be made, the registration fee shall be refunded to the incorporators.
- (3) The initial Certificate of Registration shall remain in effect until June 30 of the year in which it was issued unless suspended or terminated as provided by law. The Certificate of Registration shall be renewed annually thereafter.
- (4) Prior to the date of expiration of the certificate, the corporation shall submit its written application for renewal upon a form as provided by the Board. The application shall be accompanied by check in the amount of twenty-five dollars (\$25.00) in payment of the renewal fee. The Board shall renew the certificate provided that the Board finds that the corporation has followed the law and the rules of the Board.
- (5) If the corporation does not apply for renewal of its Certificate of Registration within 30 days after the date of its expiration, the Certificate of Registration shall be automatically suspended. Upon suspension of the Certificate of Registration, the legal counsel or the administrator of the Board shall notify the Secretary of State in writing.
- (6) The Certificate of Registration may be reinstated within the fiscal year upon payment of the renewal fee plus a late renewal fee of ten (\$10.00), if such corporation is then otherwise qualified and entitled to a renewal of its Certificate of Registration.

*History Note: Authority G.S. 55B-10; 55B-11; 55B-12; 90-270.69(4);  
Eff. February 1, 1994;  
Amended Eff. July 1, 2007;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 23, 2016.*