

CHAPTER 77. PROFESSIONAL ASSOCIATIONS

- Sec.
77.1 New professional associations may not be organized.
77.2 Statement of summary of record.

§ 77.1. New professional associations may not be organized.

Section 9302 of the code (relating to application of chapter) provides that a professional association may not be organized under Chapter 93 of the code (relating to the Professional Association Act of 1988). The chapter governs associations organized under prior laws. The Department will not receive or file submittals purporting to create a new professional association, but will process filings relating to existing professional associations where the association's documents are on file with the Department and, the association has filed a Statement of Summary of Record with the Department. See § 77.2 (relating to statement of summary of record).

Source

The provisions of this § 77.1 adopted April 17, 1992, effective April 18, 1992, 22 Pa.B. 1993.

§ 77.2. Statement of summary of record.

(a) A professional association which desires to effect a transaction with the Department shall submit Form DSCB: 15-1311/5311/9305 (Statement of Summary of Record) with the initial filing or request:

- (1) The filing of a document in the Department under a provision of Chapter 93 of the code (relating to the Professional Association Act of 1988) except section 9305(c) of the code (relating to articles of association).
- (2) The securing from the Department of one of the following:
 - (i) A certificate to the effect that the association is a professional association existing under the laws of the Commonwealth.
 - (ii) A certified copy of the articles of the association.

(b) Paragraph 5 of Form DSCB: 15-1311/5311/9305 (Statement of Summary of Record) requires a statement of the place including volume and page numbers or their equivalent, where the documents constituting the currently effective articles of the association are recorded, the date of each filing or recording, and the text of the currently effective articles of association. If the text of the articles of association appears of record in the Department, the text may be incorporated by reference and need not be set forth at length in the certificate of summary of record. The information specified in this subsection may be omitted in a certificate of summary of record which is delivered to the Department contemporaneously with amended and restated articles of the association filed under Chapter 93 of the code.

(c) The purpose of this section is to establish an authoritative initial text of the articles of the association upon the records of the Department and under sec-

tion 9305(c) of the code to form a basis for determination by the Department that the association has been formed. Therefore, it is unnecessary for an association to file Form DSCB: 15-1311/5311/9305 (Statement of Summary of Record) more than one time under this section, regardless of the number of frequency of transactions of the character set forth in subsection (a) effected by the association.

Source

The provisions of this § 77.2 adopted April 17, 1992, effective April 18, 1992, 22 Pa.B. 1993.

Cross References

This section cited in 19 Pa. Code § 77.1 (relating to new professional associations may not be organized).

[Next page is 81-1.]