

**Form 708—General Information
(Resignation of Appointed Statutory Agent)**

The attached form is drafted to meet minimal statutory filing requirements pursuant to the relevant code provisions. This form and the information provided are not substitutes for the advice and services of an attorney and tax specialist.

Commentary

This form has been promulgated to comply with the provisions of the Texas Business Organizations Code (BOC) as well as other applicable law regarding the resignation of an appointed statutory agent authorized to receive service of process on behalf of a Texas financial institution under section 201.103 of the Texas Finance Code, an unincorporated nonprofit association under section 252.011 of the Texas Business Organizations Code, and a defense base development authority under section 379B.004(b) of the Texas Local Government Code.

The resignation of an appointed statutory agent of an unincorporated association is not effective until the 31st day after the date the secretary of state receives notice (BOC § 5.204(d)). The resignation of an appointed statutory agent of a financial institution or defense base development authority is effective on the date the secretary of state receives notice.

Instructions for Form

- **Items 1–4—Entity Information:** The resignation must state the name of the entity, the file number assigned by the secretary of state to the entity, the type of entity, and the statute under which the appointment is made.
- **Items 5 & 6—Resignation of Agent:** Complete this section with the date that written notice of the resignation was mailed or delivered to the entity and the last known address of the entity to which the written notice was sent.
- **Execution:** The resignation must be executed by or on behalf of the person who was appointed agent and who is submitting the resignation.

The resignation need not be notarized. However, before signing, please read the statements on this form carefully. *A person commits an offense under section 4.008 of the BOC if the person signs or directs the filing of a filing instrument the person knows is materially false with the intent that the instrument be delivered to the secretary of state for filing. The offense is a Class A misdemeanor unless the person's intent is to harm or defraud another, in which case the offense is a state jail felony.*

- **Payment and Delivery Instructions:** There is no filing fee for resignation of an appointed statutory agent. Submit the completed form in duplicate. The form may be mailed to P.O. Box 13697, Austin, Texas 78711-3697; faxed to (512) 463-5709; or delivered to the James Earl Rudder Office Building, 1019 Brazos, Austin, Texas 78701. On filing the document, the secretary of state will return the appropriate evidence of filing to the submitter together with a file-stamped copy of the document, if a duplicate copy was provided as instructed.

Revised 12/09