

Form 722—General Information
(Application for Amendment of Registration—Texas Limited Liability Partnership)

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

Section 152.802(j) and chapter 4 of the Texas Business Organizations Code (BOC) govern amendments to the registration of a Texas limited liability partnership.

Instructions for Form

- **Entity Information:** The application for amendment must contain the legal name of the limited liability partnership, the federal employer identification number, the identity of the document being amended and the date on which the document being amended was filed. *If the amendment changes the name of the partnership, the name as it currently appears on the records of the secretary of state should be stated.* It is recommended that the file number assigned by the secretary of state be provided to facilitate processing of the document.
- **Amendments: 1. Amended Name.** If the legal name of the partnership is to be changed, state the new name of the partnership in section 1. Please note that the legal name of the partnership must include an appropriate organizational designation. The appropriate designations are “limited liability partnership” or an abbreviation of that phrase. If the partnership is a limited partnership, the name must comply with the requirements of section 5.055(a) of the BOC, and also must contain the phrase “limited liability partnership” or “limited liability limited partnership” or an abbreviation of one of those phrases.

The secretary of state *does not* review the name of the partnership, or a change of name of the partnership, to determine whether the name conforms with the entity name availability rules.

- **Amendments: 2. Federal Employer Identification Number (FEIN).** If the federal employer identification number stated on the original registration or any renewal has changed, is incorrect, or the FEIN was not provided, complete this section to change or add the number. Enter the 9-digit number assigned to the partnership by the Internal Revenue Service (IRS) in the field provided without punctuation; that is, stripped of any hyphens (e.g., 123456789).
- **Amendments: 3. Principal Office.** Section 3 of this form can be used to change the address of the principal office of the partnership. The principal office does not need to be in Texas.
- **Amendments: 4. Number of Partners.** Section 4 of this form should be used to change the number of partners stated on the original registration or any renewal. In addition to stating the number, please indicate whether the stated number represents an increase or decrease in the number of partners. If the number of partners has increased, the filing fee for the application is **\$10** plus **\$200** per any increase in partners.

In the context of the provisions of subchapter J of chapter 152, the term “partners” refers to general partners only in a limited partnership registering as a limited liability partnership (BOC § 153.352).

- **Amendments: 5. Statement of Business.** Section 5 of this form can be used to change the statement of business of the partnership as stated in its original registration or any renewal.
- **Amendments: 6. Other Changes.** Section 6 of this form provides space that can be used to describe any other change to be effected to the document to be amended.
- **Effectiveness of Filing:** An application for amendment becomes effective as of the date of filing by the secretary of state (option A). However, pursuant to sections 4.052, 4.053 and 152.802 of the BOC the effectiveness of the instrument may be delayed to a date not more than ninety (90) days from the date the instrument is signed (option B).

On the filing of a document with a delayed effective date, the computer records of the secretary of state will be changed to show the filing of the document, the date of the filing, and the future date on which the document will be effective.

- **Execution:** The application for amendment must be signed by a majority-in-interest of the partners, or by one or more partners authorized by a majority-in-interest of the partners. For a limited partnership, any general partner may sign.

The application for amendment 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:** The filing fee for an application for amendment is **\$10**, plus **\$200** for each partner added by the amendment. Fees may be paid by personal checks, money orders, LegalEase debit cards, or American Express, Discover, MasterCard, and Visa credit cards. Checks or money orders must be payable through a U.S. bank or financial institution and made payable to the secretary of state. Fees paid by credit card are subject to a statutorily authorized convenience fee of 2.7 percent of the total fees.

Submit the completed form in duplicate along with the filing fee. 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. If a document is transmitted by fax, credit card information must accompany the transmission (Form 807). 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.

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