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CIVIL CODE - CIV

DIVISION 4. GENERAL PROVISIONS [3274 - 9566] (*Heading of Division 4 amended by Stats. 1988, Ch. 160, Sec. 16.)*

PART 5.3. Commercial and Industrial Common Interest Developments [6500 - 6876] (*Part 5.3 added by Stats. 2013, Ch. 605, Sec. 21.)*

CHAPTER 6. Association Governance [6750 - 6760] (*Chapter 6 added by Stats. 2013, Ch. 605, Sec. 21.)*

ARTICLE 4. Government Assistance [6760- 6760.] (*Article 4 added by Stats. 2013, Ch. 605, Sec. 21.)*

6760. (a) To assist with the identification of commercial or industrial common interest developments, each association, whether incorporated or unincorporated, shall submit to the Secretary of State, on a form and for a fee, to cover the reasonable cost to the Secretary of State of processing the form, not to exceed thirty dollars (\$30), that the Secretary of State shall prescribe, the following information concerning the association and the development that it manages:

- (1) A statement that the association is formed to manage a common interest development under the Commercial and Industrial Common Interest Development Act.
- (2) The name of the association.
- (3) The street address of the business or corporate office of the association, if any.
- (4) The street address of the association's onsite office, if different from the street address of the business or corporate office, or if there is no onsite office, the street address of the responsible officer or managing agent of the association.
- (5) The name, address, and either the daytime telephone number or email address of the association's onsite office or managing agent.
- (6) The name, street address, and daytime telephone number of the association's managing agent, if any.
- (7) The county, and, if in an incorporated area, the city in which the development is physically located. If the boundaries of the development are physically located in more than one county, each of the counties in which it is located.
- (8) If the development is in an unincorporated area, the city closest in proximity to the development.
- (9) The front street and nearest cross street of the physical location of the development.
- (10) The type of common interest development managed by the association.
- (11) The number of separate interests in the development.

(b) The association shall submit the information required by this section as follows:

- (1) By incorporated associations, within 90 days after the filing of its original articles of incorporation, and thereafter at the time the association files its statement of principal business activity with the Secretary of State pursuant to Section 8210 of the Corporations Code.
- (2) By unincorporated associations, in July of 2003, and in that same month biennially thereafter. Upon changing its status to that of a corporation, the association shall comply with the filing deadlines in paragraph (1).

(c) The association shall notify the Secretary of State of any change in the street address of the association's onsite office or of the responsible officer or managing agent of the association in the form and for a fee, to cover the reasonable cost to the Secretary of State of processing the form, prescribed by the Secretary of State, within 60 days of the change.

(d) The penalty for an incorporated association's noncompliance with the initial or biennial filing requirements of this section shall be suspension of the association's rights, privileges, and powers as a corporation and monetary penalties, to the same extent and in the same manner as suspension and monetary penalties imposed pursuant to Section 8810 of the Corporations Code.

(e) The statement required by this section may be filed, notwithstanding suspension of the corporate powers, rights, and privileges under this section or under provisions of the Revenue and Taxation Code. Upon the filing of a statement under this section by a corporation that has suffered suspension under this section, the Secretary of State shall certify that fact to the Franchise Tax Board and the corporation may thereupon be relieved from suspension, unless the corporation is held in suspension by the Franchise Tax Board by reason of Section 23301, 23301.5, or 23775 of the Revenue and Taxation Code.

(f) Whenever any form is filed pursuant to this section, it supersedes any previously filed form.

(g) The Secretary of State may destroy or otherwise dispose of any form filed pursuant to this section after it has been superseded by the filing of a new form.

(Amended (as amended by Stats. 2021, Ch. 615, Sec. 54) by Stats. 2022, Ch. 617, Sec. 2. (SB 1202) Effective January 1, 2023.)