

Topic: Federal Trade Commission Questions

Question by: Leslie Reynolds, Executive Director

Jurisdiction: NASS

Date: May 22, 2018

Jurisdiction	Question(s)
	<p>The Federal Trade Commission has asked the questions below. I told them I would try to secure some responses. They have found that some of the SOS offices notify parties of requests for corporate records. That is a challenge for them because their investigations are non-public, law enforcement-related efforts. Therefore they were trying to get a feel for what the state by state practices are:</p> <ol style="list-style-type: none"> <li>1. What is each state's policy regarding notification to parties of requests for their records?</li> <li>2. If the policy is to notify a party of a request, is there a law enforcement exception?</li> <li>3. Who would be the proper contact at each SoS office for a request of records to avoid notification to the party whose records are requested?</li> </ol>
<b>Manitoba</b>	
<b>Corporations Canada</b>	Corporations Canada does not notify its clients regarding requests for their records.
<b>Alabama</b>	
<b>Alaska</b>	
<b>Arizona</b>	<ol style="list-style-type: none"> <li>1. Arizona does not notify any corporation or LLC that their records have been requested by anyone.</li> <li>2. Not applicable.</li> <li>3. No special contact needed in most cases. We have had law enforcement contact the Director (Patricia Barfield) with questions about corporation or LLC records, and that would be the suggested contact if necessary.</li> </ol>
<b>Arkansas</b>	
<b>California</b>	
<b>Colorado</b>	
<b>Connecticut</b>	Connecticut also does not notify businesses when their records are requested.
<b>Delaware</b>	<ol style="list-style-type: none"> <li>1. Delaware does not notify entities when receiving requests for their records</li> <li>2. n/a</li> <li>3. n/a</li> </ol>

Jurisdiction	Question(s)
	<p>The Federal Trade Commission has asked the questions below. I told them I would try to secure some responses. They have found that some of the SOS offices notify parties of requests for corporate records. That is a challenge for them because their investigations are non-public, law enforcement-related efforts. Therefore they were trying to get a feel for what the state by state practices are:</p> <ol style="list-style-type: none"> <li>1. What is each state's policy regarding notification to parties of requests for their records?</li> <li>2. If the policy is to notify a party of a request, is there a law enforcement exception?</li> <li>3. Who would be the proper contact at each SoS office for a request of records to avoid notification to the party whose records are requested?</li> </ol>
<b>District of Columbia</b>	<ol style="list-style-type: none"> <li>1. No such notification exist.</li> <li>2. N/A.</li> <li>3. N/A</li> </ol>
<b>Florida</b>	Florida does not notify parties of requests for their records.
<b>Georgia</b>	
<b>Hawaii</b>	Hawaii is just like Utah.
<b>Idaho</b>	
<b>Illinois</b>	
<b>Indiana</b>	
<b>Iowa</b>	Iowa does not provide notifications regarding records requests.
<b>Kansas</b>	
<b>Kentucky</b>	<ol style="list-style-type: none"> <li>1. There is no notification to entities on records requests in Kentucky. However, the system allows anyone to subscribe and be notified anytime a document is filed by on their business. All records are available online and free through our system.</li> <li>2. NA</li> <li>3. NA</li> </ol>
<b>Louisiana</b>	
<b>Maine</b>	Maine does not notify entities when requests for their corporate records occur.
<b>Maryland</b>	

Jurisdiction	Question(s)
	<p>The Federal Trade Commission has asked the questions below. I told them I would try to secure some responses. They have found that some of the SOS offices notify parties of requests for corporate records. That is a challenge for them because their investigations are non-public, law enforcement-related efforts. Therefore they were trying to get a feel for what the state by state practices are:</p> <ol style="list-style-type: none"> <li>1. What is each state's policy regarding notification to parties of requests for their records?</li> <li>2. If the policy is to notify a party of a request, is there a law enforcement exception?</li> <li>3. Who would be the proper contact at each SoS office for a request of records to avoid notification to the party whose records are requested?</li> </ol>
<b>Massachusetts</b>	Massachusetts does not notify entities of if their records are requested.
<b>Michigan</b>	Michigan is the same as Utah - Michigan does not alert parties if their records are requested or by subpoena. Any online collection of records does not produce an alert either.
<b>Minnesota</b>	<ol style="list-style-type: none"> <li>1. Minnesota does not notify parties of request for their corporate records</li> <li>2. n/a</li> <li>3. Minnesota does not notify the parties if its records are requested or by subpoena.</li> </ol>
<b>Mississippi</b>	
<b>Missouri</b>	
<b>Montana</b>	
<b>Nebraska</b>	
<b>Nevada</b>	Nevada does not provide notifications regarding records requests.
<b>New Hampshire</b>	
<b>New Jersey</b>	
<b>New Mexico</b>	
<b>New York</b>	
<b>North Carolina</b>	
<b>North Dakota</b>	<ol style="list-style-type: none"> <li>1. ND does not notify parties of requests for corporate records.</li> <li>2. N/A</li> <li>3. N/A</li> </ol>

Jurisdiction	Question(s)
	<p>The Federal Trade Commission has asked the questions below. I told them I would try to secure some responses. They have found that some of the SOS offices notify parties of requests for corporate records. That is a challenge for them because their investigations are non-public, law enforcement-related efforts. Therefore they were trying to get a feel for what the state by state practices are:</p> <ol style="list-style-type: none"> <li>1. What is each state's policy regarding notification to parties of requests for their records?</li> <li>2. If the policy is to notify a party of a request, is there a law enforcement exception?</li> <li>3. Who would be the proper contact at each SoS office for a request of records to avoid notification to the party whose records are requested?</li> </ol>
<b>Ohio</b>	
<b>Oklahoma</b>	
<b>Oregon</b>	Oregon does not notify parties of records requests.
<b>Pennsylvania</b>	<ol style="list-style-type: none"> <li>1. PA does not notify parties of requests for their corporate records</li> <li>2. n/a</li> <li>3. n/a, as PA does not notify the business if its records are requested, either by regular copy request or subpoena.</li> </ol>
<b>Rhode Island</b>	
<b>South Carolina</b>	
<b>South Dakota</b>	
<b>Tennessee</b>	
<b>Texas</b>	Texas does not notify entities when requests for their corporate records occur.
<b>Utah</b>	Utah does not alert parties if their records are requested or by subpoena. Any online collection of records does not produce an alert either.
<b>Vermont</b>	
<b>Virginia</b>	Virginia does not notify an entity when its records are requested.
<b>Washington</b>	<ol style="list-style-type: none"> <li>1. There is no notification to entities on copy requests. However, the new system allows anyone to subscribe and be notified anytime a document or notice is filed by an entity. All records are available online and free through our system.</li> <li>2. NA</li> <li>3. NA</li> </ol>
<b>West Virginia</b>	

Jurisdiction	Question(s)
	<p>The Federal Trade Commission has asked the questions below. I told them I would try to secure some responses. They have found that some of the SOS offices notify parties of requests for corporate records. That is a challenge for them because their investigations are non-public, law enforcement-related efforts. Therefore they were trying to get a feel for what the state by state practices are:</p> <ol style="list-style-type: none"> <li>1. What is each state's policy regarding notification to parties of requests for their records?</li> <li>2. If the policy is to notify a party of a request, is there a law enforcement exception?</li> <li>3. Who would be the proper contact at each SoS office for a request of records to avoid notification to the party whose records are requested?</li> </ol>
Wisconsin	
Wyoming	

**Additional comments:**

**Full text of email:**

The Federal Trade Commission has asked the questions below. I told them I would try to secure some responses. They have found that some of the SOS offices notify parties of requests for corporate records. That is a challenge for them because their investigations are non-public, law enforcement-related efforts. Therefore they were trying to get a feel for what the state by state practices are:

1. What is each state's policy regarding notification to parties of requests for their records?
2. If the policy is to notify a party of a request, is there a law enforcement exception?
3. Who would be the proper contact at each SoS office for a request of records to avoid notification to the party whose records are requested?

Leslie Reynolds  
 Executive Director  
 National Association of Secretaries of State (NASS)  
 444 N. Capitol Street, NW Suite 401  
 Washington, DC 20001  
 202-624-3525  
[www.nass.org](http://www.nass.org)<<http://www.nass.org>>