

Corporations—Corporate Existence—Extension.

After the period of the corporate existence of a corporation has expired the corporation ceases to exist and there is no way in which the corporate existence can then be extended.

June 13, 1928.

George P. Porter, Esq.,
State Auditor and Commissioner of Insurance,
Helena, Montana.

My dear Mr. Porter:

You have submitted to me the articles of incorporation of the Farmers' Mutual Fire and Lightning Insurance Association of Fergus County, Montana, and requested my opinion on the following questions:

"1. Can the corporation in question, which is incorporated under the provisions of section 6185 et seq. of the Revised Codes of Montana of 1921 extend its corporate existence after the term of its corporate existence has expired?"

"2. Can this corporation extend its corporate existence under the general provisions of the corporation laws?"

In answer to your first question, will say that under the statute a corporation of this kind is required to state in its articles of incorporation the term of its corporate existence and where this term has expired before the same has been extended the corporation ceases to exist.

There is no statute providing that a corporation which has ceased to exist can be revived other than by reincorporation, and since the corporation in question no longer has a corporate existence it necessarily follows that there is nothing at the present time to be extended.

In view of this conclusion it becomes unnecessary to answer your second question.

Very truly yours,

L. A. FOOT,
Attorney General.