

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

H.P. 614 - L.D. 846

**Resolve, Directing the Department of the Secretary of State To Develop
Website Information Related to Promoting Benefit Corporations**

Preamble. Whereas, in 2019, the State enacted legislation establishing a process for the establishment of benefit corporations with the explicit purpose of creating a general public benefit; and

Whereas, "a general public benefit" means a material positive impact on society and the environment, including but not limited to providing a benefit to underserved and underrepresented populations, promoting economic opportunities, protecting the environment and improving the health and resiliency of communities; and

Whereas, since the establishment of benefit corporation law in this State, a limited number of organizations have incorporated under that law. Barriers to incorporation under that law include a general lack of awareness and education concerning benefit corporations and an absence of information regarding the process available for businesses; and

Whereas, the purpose of this resolve is to create a public awareness of the benefit corporation framework and its meaning and intention and to provide transparent and easy-to-use directions supporting businesses exploring the option of establishing themselves as benefit corporations; now, therefore, be it

Sec. 1. Department of Secretary of State. Resolved: That the Department of the Secretary of State shall create a webpage on the department's publicly accessible website that provides information for the public regarding benefit corporations and the process for establishing such a corporation. The information must include:

1. A description of what a benefit corporation is and the purposes for the establishment of a benefit corporation;
2. A list of forms and fees required to create a benefit corporation;
3. A list of frequently asked questions and answers to those questions; and
4. A link to at least one nonprofit entity that assists persons seeking to establish a benefit corporation.

When creating the webpage required in this resolve, the Department of the Secretary of State shall solicit and consider recommendations and information from individuals who are experts in the field of benefit corporations. The department shall also establish easily identifiable links on its website to the benefit corporation webpage and ensure that the webpage is accessible through its website search function.

Sec. 2. Department of Economic and Community Development. Resolved: That the Department of Economic and Community Development, Office of Business Development, shall:

1. Provide on its publicly accessible website a link to information about benefit corporations available on the website of the Department of the Secretary of State;
2. Require organizations with which the department partners to provide business development resources to businesses in this State to include on their publicly accessible websites information about benefit corporations, including links to information about benefit corporations on the website of the Department of the Secretary of State and resources available on websites of organizations specifically supporting benefit corporations; and
3. Provide information about benefit corporations and resources supporting the development of benefit corporations to organizations that the department supports with funding and other resources to assist the department in its mission of enhancing and sustaining economic prosperity in the State.