

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

*As Engrossed: H3/14/01*

# A Bill

Act 1395 of 2001  
HOUSE BILL 2602

5 By: Representative McMellon  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CREATE A FEE SCHEDULE FOR ELECTRONIC  
10 FILING IN THE CORPORATIONS DIVISION OF THE  
11 SECRETARY OF STATE; AND FOR OTHER PURPOSES.  
12

### Subtitle

14 TO CREATE A FEE SCHEDULE FOR ELECTRONIC  
15 FILING IN THE CORPORATIONS DIVISION OF  
16 THE SECRETARY OF STATE.  
17  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code 4-27-122 is amended to read as follows:

22 4-27-122. Filing, service, and copying fees.

23 A. The Secretary of State shall collect the following fees when the  
24 documents described in this subsection are delivered to him for filing:  
25

| DOCUMENT   | FEE      |
|--|----------|
| (1) Articles of incorporation .....  | \$ 50.00 |
| (2) Application for use of indistinguishable name .....  | No fee   |
| (3) Application for reserved name.....   | 25.00    |
| (4) Notice of transfer of reserved name .....  | 25.00    |
| (5) Application for registered name .....  | 50.00    |
| (6) Application for renewal of registered name .....   | 25.00    |
| (7) Corporation's statement of change of registered agent or<br>registered office or both .....                      | 25.00    |
| (8) Agent's statement of change of registered office for each affected<br>corporation not to exceed a total of ..... | 125.00   |

1 (9) Agent's statement of resignation..... No fee  
 2 (10) Amendment of articles of incorporation..... 50.00  
 3 (11) Restatement of articles of incorporation with amendment of  
 4 articles ..... 100.00  
 5 (12) Articles of merger or share exchange..... 100.00  
 6 (13) Articles of dissolution ..... 50.00  
 7 (14) Articles of revocation of dissolution ..... 150.00  
 8 (15) Certificate of administrative dissolution ..... No fee  
 9 (16) Application for reinstatement following administrative  
 10 dissolution ..... 50.00  
 11 (17) Certificate of reinstatement ..... No fee  
 12 (18) Certificate of judicial dissolution ..... No fee  
 13 (19) Application for certificate of authority ..... 300.00  
 14 (20) Application for amended certificate of authority ..... 300.00  
 15 (21) Application for certificate of withdrawal ..... 300.00  
 16 (22) Certificate of revocation of authority to transact  
 17 business ..... No fee  
 18 (23) Articles of correction ..... 30.00  
 19 (24) Application for certificate of existence or  
 20 authorization ..... 15.00  
 21 (25) Application of domestic corporation to change domicile..... 50.00  
 22 (26) Application of foreign corporation to move domicile  
 23 to Arkansas ..... 300.00  
 24 ~~(25)~~ (27) Any other document required or permitted to be filed  
 25 by this chapter ..... 25.00  
 26 B. The Secretary of State shall collect a fee of twenty-five dollars  
 27 (\$25.00) each time process is served on him under this chapter. The party to  
 28 a proceeding causing service of process is entitled to recover this fee as  
 29 costs if he prevails in the proceeding.  
 30 C. The Secretary of State shall collect the following fees for copying  
 31 and certifying the copy of any filed document relating to a domestic or  
 32 foreign corporation:  
 33 (1) Fifty cents (50¢) a page for copying; and  
 34 (2) Five dollars (\$5.00) for the certificate.  
 35 D. The Secretary of State shall collect the following fees when the  
 36 documents described in this subsection are delivered to him or her by

1 electronic means:

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| <u>DOCUMENT</u>   | <u>FEE</u>            | <u>PROCESSING FEE</u> |
|---|-----------------------|-----------------------|
| (1) <u>Articles of incorporation</u> .....  | <u>\$ 40.00</u> ..... | <u>\$ 5.00</u>        |
| (2) <u>Application for reservation</u><br><u>of corporate name</u> .....              | <u>\$ 18.50</u> ..... | <u>\$ 4.00</u>        |
| (3) <u>Certificate of amendment</u><br><u>(new code-no shares exchanged)</u> .....    | <u>\$ 40.00</u> ..... | <u>\$ 5.00</u>        |
| (4) <u>Notice of transfer of</u><br><u>reserved name</u> .....                        | <u>\$ 18.50</u> ..... | <u>\$ 4.00</u>        |
| (5) <u>Certificate of amendment</u><br><u>(new code-shares exchanged)</u> .....       | <u>\$ 80.00</u> ..... | <u>\$10.00</u>        |
| (6) <u>Certificate of amendment</u> .....   | <u>\$ 40.00</u> ..... | <u>\$ 5.00</u>        |
| (7) <u>Notice of change of registered</u><br><u>office or agent or both</u> .....     | <u>\$ 18.50</u> ..... | <u>\$ 4.00</u>        |
| (8) <u>Application for registration of</u><br><u>fictitious name (old code)</u> ..... | <u>\$ 18.50</u> ..... | <u>\$ 4.00</u>        |
| (9) <u>Application for fictitious name</u><br><u>for domestic corporation</u> .....   | <u>\$ 18.50</u> ..... | <u>\$ 4.00</u>        |
| (10) <u>Application for certificate</u><br><u>of authority</u> .....                  | <u>\$258.00</u> ..... | <u>\$12.00</u>        |

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23 (11) For any other document not listed above, the cost for electronic  
24 filing is:

- 25 (A) \$4 for processing fee when filing fee is \$0 to \$50;
- 26 (B) \$5 for processing fee when filing fee is \$51 to \$99;
- 27 (C) \$10 for processing fee when filing fee is \$100 to \$299; and
- 28 (D) \$12 for processing fee when filing fee is \$300 or more.

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30 SECTION 2. Arkansas Code 4-32-1301, concerning filing, service, and  
31 copying fees is amended by adding an additional subsection to read as  
32 follows:

33 (d) The Secretary of State shall collect the following fees when the  
34 documents described in this subsection are delivered to him or her by  
35 electronic means:

| <u>DOCUMENT</u> | <u>FEE</u> | <u>PROCESSING FEE</u> |
|-----------------|------------|-----------------------|
|-----------------|------------|-----------------------|

|    |  |                            |                |
|----|--|----------------------------|----------------|
| 1  | <u>(1) Articles of organization</u>                                |                            |                |
| 2  | <u>for a domestic limited liability</u>                            |                            |                |
| 3  | <u>company</u>   | <u>..... \$40.00.....</u>  | <u>\$ 5.00</u> |
| 4  | <u>(2) Certificate of amendment to</u>                             |                            |                |
| 5  | <u>articles of organization for a</u>                              |                            |                |
| 6  | <u>domestic limited liability</u>                                  |                            |                |
| 7  | <u>company</u>   | <u>..... \$ 18.50.....</u> | <u>\$ 4.00</u> |
| 8  | <u>(3) Notice of change of</u>                                     |                            |                |
| 9  | <u>registered office or agent</u>                                  |                            |                |
| 10 | <u>or both for limited liability</u>                               |                            |                |
| 11 | <u>Company</u>   | <u>..... \$ 18.50.....</u> | <u>\$ 4.00</u> |
| 12 | <u>(4) Application for reservation</u>                             |                            |                |
| 13 | <u>of limited liability company</u>                                |                            |                |
| 14 | <u>name</u>  | <u>..... \$ 18.50.....</u> | <u>\$ 4.00</u> |
| 15 | <u>(5) Notice of transfer of</u>                                   |                            |                |
| 16 | <u>reserved name</u>   | <u>..... \$ 18.50.....</u> | <u>\$ 4.00</u> |
| 17 | <u>(6) Application for</u>   |                            |                |
| 18 | <u>certificate of registration of foreign</u>                      |                            |                |
| 19 | <u>limited liability company</u>                                   | <u>..... \$258.00.....</u> | <u>\$12.00</u> |
| 20 | <u>(7) Application for amended</u>                                 |                            |                |
| 21 | <u>certificate of authority</u>                                    |                            |                |
| 22 | <u>by foreign limited liability</u>                                |                            |                |
| 23 | <u>Company</u>   | <u>..... \$258.00.....</u> | <u>\$12.00</u> |
| 24 | <u>(8) Application for fictitious</u>                              |                            |                |
| 25 | <u>name for foreign limited</u>                                    |                            |                |
| 26 | <u>liability company</u>   | <u>..... \$ 18.50.....</u> | <u>\$ 4.00</u> |
| 27 | <u>(9) For any other document not listed above, the cost for</u>   |                            |                |
| 28 | <u>electronic filing is:</u>                                       |                            |                |
| 29 | <u>(A) \$4 for processing fee when filing fee is \$0 to \$50;</u>  |                            |                |
| 30 | <u>(B) \$5 for processing fee when filing fee is \$51 to \$99;</u> |                            |                |
| 31 | <u>(C) \$10 for processing fee when filing fee is \$100 to</u>     |                            |                |
| 32 | <u>\$299; and</u>  |                            |                |
| 33 | <u>(D) \$12 for processing fee when filing fee is \$300 or</u>     |                            |                |
| 34 | <u>more.</u>   |                            |                |

36 SECTION 3. Arkansas Code 4-43-1104, concerning fees for domestic

1 limited partnerships, is amended by adding an additional subsection to read  
2 as follows:

3 (d) The Secretary of State shall collect the following fees when the  
4 documents described in this subsection are delivered to him by electronic  
5 means:

| <u>DOCUMENT</u> | <u>FEE</u> | <u>PROCESSING FEE</u> |
|-----------------|------------|-----------------------|
|-----------------|------------|-----------------------|

|   |                 |                |
|---|-----------------|----------------|
| <u>(1) Application for fictitious</u><br><u>name for domestic limited</u><br><u>partnership</u> ..... | <u>\$ 9.50.</u> | <u>\$ 4.00</u> |
|---|-----------------|----------------|

|   |                 |                |
|---|-----------------|----------------|
| <u>(2) Application for fictitious</u><br><u>name of foreign limited</u><br><u>partnership</u> ..... | <u>\$ 9.50.</u> | <u>\$ 4.00</u> |
|---|-----------------|----------------|

13 SECTION 4. Arkansas Code 4-33-122, concerning the filing, service, and  
14 copying fees, is amended by adding an additional subsection to read as  
15 follows:

16 (d) The Secretary of State shall collect the following fees when the  
17 documents described in this subsection are delivered to him by electronic  
18 means:

| <u>DOCUMENT</u> | <u>FEE</u> | <u>PROCESSING FEE</u> |
|-----------------|------------|-----------------------|
|-----------------|------------|-----------------------|

|  |                  |                |
|--|------------------|----------------|
| <u>(1) Articles of incorporation</u><br><u>for domestic non-profit</u><br><u>corporation</u> ..... | <u>\$ 40.00.</u> | <u>\$ 5.00</u> |
|--|------------------|----------------|

|   |                  |                |
|---|------------------|----------------|
| <u>(2) Certificate of amendment</u><br><u>of a non-profit corporation</u> ..... | <u>\$ 40.00.</u> | <u>\$ 5.00</u> |
|---|------------------|----------------|

|  |                  |                |
|--|------------------|----------------|
| <u>(3) Articles of dissolution of</u><br><u>a non-profit corporation</u> ..... | <u>\$ 40.00.</u> | <u>\$ 5.00</u> |
|--|------------------|----------------|

|  |                  |                |
|--|------------------|----------------|
| <u>(4) Application for foreign</u><br><u>non-profit corporation</u><br><u>seeking to do business</u><br><u>in Arkansas</u> ..... | <u>\$258.00.</u> | <u>\$12.00</u> |
|--|------------------|----------------|

31 (5) For any other document not listed above, the cost for  
32 electronic filing is:

33 (A) \$4 for processing fee when filing fee is \$0 to \$50;

34 (B) \$5 for processing fee when filing fee is \$51 to \$99;

35 (C) \$10 for processing fee when filing fee is \$100 to

36 \$299; and

1                    (D) \$12 for processing fee when filing fee is \$300 or  
2 more.

3  
4            SECTION 5. Arkansas Code Title 4, Chapter 42, Subchapter 7 is amended  
5 by adding an additional section to read as follows:

6            4-42-708. The Secretary of State shall collect the following fees when  
7 the documents described in this subsection are delivered to him by electronic  
8 means:

| <u>DOCUMENT</u>   | <u>FEE</u>           | <u>PROCESSING FEE</u> |
|---|----------------------|-----------------------|
| (1) <u>Application for fictitious</u><br><u>name for domestic limited</u><br><u>liability partnership</u> ..... | <u>\$ 9.50</u> ..... | <u>\$4.00</u>         |
| (2) <u>Application for fictitious</u><br><u>name for foreign limited</u><br><u>liability partnership</u> .....  | <u>\$ 9.50</u> ..... | <u>\$4.00</u>         |
| (3) <u>For any other document not listed above, the cost for electronic</u><br><u>filing is:</u>                |                      |                       |

- (A) \$4 for processing fee when filing fee is \$0 to \$50;
- (B) \$5 for processing fee when filing fee is \$51 to \$99;
- (C) \$10 for processing fee when filing fee is \$100 to \$299; and
- (D) \$12 for processing fee when filing fee is \$300 or more.

/s/ McMillon

APPROVED: 4/5/2001

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