

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2406

4
5 By: Representative Scroggin

For An Act To Be Entitled

AN ACT TO REVISE THE FILING FEES COLLECTED BY THE SECRETARY OF STATE; AND FOR OTHER PURPOSES.

Subtitle

TO REVISE THE FILING FEES COLLECTED BY THE SECRETARY OF STATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 4-27-122 is amended to read as follows:
4-27-122. Filing, service, and copying fees.

(a) The Secretary of State shall collect the following fees when the documents described in this subsection are delivered ~~to him~~ for filing:

DOCUMENT	FEE
(1) Articles of incorporation	\$ 50.00 <u>\$100.00</u>
(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 registered office, or both	25.00 <u>No</u>
<u>Fee</u>	
(8) Agent's statement of change of registered office for each affected corporation not to exceed a total of	125.00
(9) (8) Agent's statement of resignation	No fee
(10) (9) Amendment of articles of incorporation	50.00



1	(11) (10)	Restatement of articles of incorporation with amendment	
2	of articles		100.00
3	(12) (11)	Articles of merger or share exchange	100.00
4	(13) (12)	Articles of dissolution	50.00 <u>No Fee</u>
5	(14) (13)	Articles of revocation of dissolution	150.00
6	(15) (14)	Certificate of administrative dissolution	No fee
7	(16) (15)	Application for reinstatement following administrative	
8	dissolution.....		50.00
9	(17) (16)	Certificate of reinstatement	No fee
10	(18) (17)	Certificate of judicial dissolution	No fee
11	(19) (18)	Application for certificate of authority	
12	.....		300.00 <u>600.00</u>
13	(20) (19)	Application for amended certificate of authority	
14	.....		300.00
15	(21) (20)	Application for certificate of withdrawal	
16	.....		300.00 <u>No Fee</u>
17	(22) (21)	Certificate of revocation of authority to transact	
18	business		No fee
19	(23) (22)	Articles of correction	30.00
20	(24) (23)	Application for certificate of existence or	
21	authorization		15.00 <u>25.00</u>
22	(25) (24)	Application of domestic corporation to change domicile.	
23	.....		50.00
24	(26) (25)	Application of foreign corporation to move domicile to	
25	Arkansas.....		300.00
26	(27) (26)	Any other document required or permitted to be filed by	
27	this chapter.....		25.00

28 (b)(1) The Secretary of State shall collect a fee of twenty-five
 29 dollars (\$25.00) each time process is served on him or her under this
 30 chapter.

31 (2) The party to a proceeding causing service of process is
 32 entitled to recover ~~this~~ the process fee as costs if ~~he~~ the party prevails in
 33 the proceeding.

34 (c) The Secretary of State shall collect the following fees for
 35 copying and certifying the copy of any filed document relating to a domestic
 36 or foreign corporation:

1 (1) Fifty cents (50¢) a page for copying with a three-dollar
 2 minimum charge for copies mailed or faxed to a recipient; and

3 (2) Five dollars (\$5.00) for the certificate; and

4 (3) Twenty-five dollars (\$25.00) if one (1) or more files or
 5 records must be retrieved from an off-site storage or archive facility to
 6 comply with the recipient's request.

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

DOCUMENT	FEE	PROCESSING FEE
(1) Articles of incorporation . . .	\$ 40.00 <u>\$80.00</u>	\$ 5.00 <u>\$10.00</u>
(2) Application for reservation of corporate name	\$. 18.50	\$ 4.00
(3) Certificate of amendment (new code-no shares exchanged)	\$ 40.00	\$ 5.00
(4) Notice of transfer of reserved name	\$ 18.50	\$ 4.00
(5) Certificate of amendment (new code-shares exchanged)	\$ 80.00	\$10.00
(6) Certificate of amendment	\$ 40.00	\$ 5.00
(7) Notice of change of registered office or agent or both	\$. 18.50	\$ 4.00
(8) (7) Application for registration of fictitious name (old code)	\$. 18.50	\$ 4.00
(9) (8) Application for fictitious name for domestic corporation	\$. 18.50	\$ 4.00
(10) (9) Application for certificate of authority	\$ 258.00 <u>\$528.00</u>	\$12.00
(11) (10) For any other document not listed above, the cost for		

29 electronic filing is:

30 (A) ~~\$4~~ Four dollars (\$4.00) for the processing fee when
 31 the filing fee is \$0 to \$50;

32 (B) ~~\$5~~ Five dollars (\$5.00) for the processing fee when
 33 the filing fee is \$51 to \$99;

34 (C) ~~\$10~~ Ten dollars (\$10.00) for the processing fee when
 35 the filing fee is \$100 to \$299; and

36 (D) ~~\$12~~ Twelve dollars (\$12.00) for the processing fee

1 when the filing fee is \$300 or more.

2

3 SECTION 2. Arkansas Code § 4-27-1705 is amended to read as follows:

4 4-27-1705. Fees.

5 The fees chargeable by the Secretary of State for services under § 4-
6 26-101 et seq. shall be as follows:

7 (1) Articles of incorporation.....~~\$ 50.00~~ \$100.00

8 (2) Amendment to articles of incorporation50.00

9 (3) Articles of merger or consolidation100.00

10 (4) Corporation’s statement of change of registered agent or
11 office, or both~~25.00~~ No Fee

12 ~~(5) Agent’s statement of change of registered office/agent for~~
13 ~~each affected corporation not to exceed a total of200.00~~

14 (5) Articles of dissolution.....No fee

15 (6) Application for fictitious name.....25.00

16 (7) Application for reserved name25.00

17 (8) For any other filing under this chapter with annexed
18 certificate.....25.00

19 (9) For any certificate pursuant to § 4-26-106 or § 4-26-207 or
20 any other certificate25.00

21 (10) For furnishing a certified copy of any document, fifty
22 cents (50¢) per page with a three-dollar minimum charge for copies mailed or
23 faxed to a recipient; and five dollars (\$5.00) for the certificate thereto;
24 and twenty-five dollars (\$25.00) if one (1) or more files or records must be
25 retrieved from an off-site storage or archive facility to comply with the
26 recipient’s request.

27 (11) For receiving service of process on behalf
28 of a corporation 25.00

29 (12) For receiving service of process on behalf
30 of individuals.....~~10.00~~ 25.00

31

32 SECTION 3. Arkansas Code § 4-28-223 is amended to read as follows:

33 4-28-223. Fees to be paid to Secretary of State.

34 The Secretary of State shall charge and collect ~~for~~

35 ~~(1) Filing articles of incorporation and issuing a certificate~~
36 ~~of incorporation, fifty dollars (\$50.00);~~

1 ~~(2) Filing an application of a foreign corporation for a~~
2 ~~certificate of authority to conduct affairs in this state and issuing a~~
3 ~~certificate of authority, three hundred dollars (\$300); and~~

4 ~~(3) Other administration functions, one dollar (\$1.00).~~
5 the fees provided under § 4-33-122 for filing the articles of incorporation,
6 amendments, and other filings or certificates under this subchapter.

7
8 SECTION 4. Arkansas Code § 4-31-406 is amended to read as follows:
9 4-31-406. Filing fees.

10 (a) The Secretary of State shall collect the following fees when the
11 documents described in this subsection are delivered ~~to him or her~~ for
12 filing:

DOCUMENT	FEE
(1) Articles of business trust.....	\$300.00 <u>\$600.00</u>
(2) Business trust's statement of change of registered agent or registered office, or both.....	25.00 <u>No fee</u>
(3) Agent's statement of resignation.....	No fee
(4) Amendment of articles of business trust.....	300.00
(5) Articles of merger.....	100.00
(6) Articles of dissolution.....	300.00 <u>No Fee</u>
(7) Application for amended certificate of authority.....	300.00
(8) Application for certificate of withdrawal.....	300.00 <u>No Fee</u>
(9) Any other document required or permitted to be filed by this subchapter.....	25.00

26 (b)(1) The Secretary of State shall collect a fee of twenty-five
27 dollars (\$25.00) each time process is served on him or her under this
28 subchapter.

29 (2) The party to a proceeding causing service of process is
30 entitled to recover ~~this~~ the process fee as costs if ~~he or she~~ the party
31 prevails in the proceeding.

32 (c) The Secretary of State shall collect the following fees for
33 copying and certifying the copy of any filed document relating to a domestic
34 or foreign business trust:

35 (1) Fifty cents (\$ 0.50) a page for copying with a three-dollar
36 minimum charge for copies mailed or faxed to a recipient; and

- 1 (2) Five dollars (\$5.00) for the certificate, ~~and~~
- 2 (3) Twenty-five dollars (\$25.00) if one (1) or more files or
- 3 records must be retrieved from an off-site storage or archive facility to
- 4 comply with the recipient's request.

5

6 SECTION 5. Arkansas Code § 4-32-1002 is amended to read as follows:

7 4-32-1002. Registration.

8 Before transacting business in this state, a foreign limited liability

9 company shall register with the Secretary of State by submitting to the

10 Secretary of State an original signed copy of an application for registration

11 as a foreign limited liability company, ~~together with a duplicate copy that~~

12 ~~may be either a signed, photocopied, or conformed copy,~~ executed by a person

13 with authority to do so under the laws of the state or other jurisdiction of

14 its formation. The application shall set forth:

- 15 (1) The name of the foreign limited liability company and, if
- 16 different, the company's name is unavailable for use in this state, the name
- 17 under which it proposes to transact business in this state;
- 18 (2) The state or other jurisdiction where formed and the date of
- 19 its formation;
- 20 (3) The name and address of a registered agent for service of
- 21 process required to be maintained by § 4-32-105;
- 22 (4) A statement that the Secretary of State is appointed the
- 23 agent of the foreign limited liability company for service of process if the
- 24 foreign limited liability company fails to appoint or maintain a registered
- 25 agent in satisfaction of the requirements of § 4-32-105;
- 26 (5) The address of the office required to be maintained in the
- 27 state or other jurisdiction of its formation by the laws of that state or
- 28 jurisdiction or, if not so required, of the principal office of the foreign
- 29 limited liability company; and
- 30 (6) A statement evidencing that the foreign limited liability
- 31 company is a "foreign limited liability company" as defined in § 4-32-102(5).

32

33 SECTION 6. Arkansas Code § 4-32-1301 is amended to read as follows:

34 4-32-1301. Filing, service, and copying fees.

35 (a) The Secretary of State shall collect the following fees when the

36 documents described in this subsection are delivered ~~to him or her~~ for

1 filing:

DOCUMENT	FEE
(1) Articles of organization	50.00 <u>\$100.00</u>
(2) Application for use of indistinguishable name	25.00 <u>No Fee</u>
(3) Application for reserved name	25.00
(4) Notice of transfer of reserved name	25.00
(5) Statement of change of registered agent or registered office, or both	25.00 <u>No Fee</u>
(6) Agent's statement of change of registered office for each affected limited liability company not to exceed a total of	125.00
(7) (6) Agent's statement of resignation	25.00 <u>No Fee</u>
(8) (7) Amendment of articles of organization	25.00 <u>50.00</u>
(9) (8) Restatement of articles of organization with amendment of articles of organization	25.00 <u>100.00</u>
(10) (9) Articles of merger or share exchange	50.00 <u>100.00</u>
(11) (10) Articles of dissolution	50.00 <u>No Fee</u>
(12) (11) Certificate of judicial dissolution	No fee
(13) (12) Application for certificate of authority by foreign limited liability company	300.00 <u>600.00</u>
(14) (13) Application for amended certificate of authority by foreign limited liability company	300.00
(15) (14) Application for certificate of withdrawal by foreign limited liability company	25.00 <u>No Fee</u>
(16) (15) Certificate of revocation of authority to transact usiness	No fee
(17) (16) Articles of correction	30.00
(18) (17) Application for certificate of existence or authorization by domestic limited liability company	15.00 <u>25.00</u>
(19) (18) Any other document required or permitted to be filed by this chapter	25.00

31 (b)(1) The Secretary of State shall collect a fee of twenty-five
 32 dollars (\$25.00) each time process is served on him or her under this
 33 chapter.

34 (2) The party to a proceeding causing service of process is
 35 entitled to recover ~~this~~ the process fee as costs if ~~he or she~~ the party
 36 prevails in the proceeding.

(c) The Secretary of State shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic or foreign limited liability company:

(1) Fifty cents (50¢) a page for copying with a three-dollar minimum charge for copies mailed or faxed to a recipient; and

(2) Five dollars (\$5.00) for the certificate; and

(3) Twenty-five dollars (\$25.00) if one (1) or more files or records must be retrieved from an off-site storage or archive facility to comply with the recipient's request.

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

DOCUMENT	FEE	PROCESSING FEE
(1) Articles of organization for domestic limited liability company.....	\$ 40.00 <u>\$80.00</u> . . .	\$ 5.00 <u>\$10.00</u>
(2) Certificate of amendment to articles of organization for a domestic limited liability company	\$ 18.50 <u>\$40.00</u> . . .	\$ 4.00 <u>\$5.00</u>
(3) Notice of change of registered office or agent or both for limited liability company	\$ 18.50 <u>No Fee</u> . . .	\$ 4.00 <u>No Fee</u>
(4) Application for reservation of limited liability company name.....	\$ 18.50	\$ 4.00
(5) Notice of transfer of reserved name .	\$ 18.50	\$ 4.00
(6) Application for certificate of registration of foreign limited liability company	\$258.00 <u>\$528.00</u>	\$12.00
(7) Application for amended certificate of authority by foreign limited liability company	\$258.00	\$12.00
(8) Application for fictitious name for foreign limited liability company	\$ 18.50	\$ 4.00
(9) For any other document not listed above, the cost for electronic filing is:		

(A) Four dollars (\$4.00) for the processing fee when the filing fee is \$0 to \$50;

(B) Five dollars (\$5.00) for the processing fee when the filing fee is \$51 to \$99;

(C) Ten dollars (\$10.00) for the processing fee when the filing fee is \$100 to \$299; and

(D) Twelve dollars (\$12.00) for the processing fee when the filing fee is \$300 or more.

SECTION 7. Arkansas Code § 4-33-122 is amended to read as follows:
 4-33-122. Filing, service, and copying fees.

(a) The Secretary of State shall collect the following fees when the documents described in this subsection are delivered for filing:

DOCUMENT	FEE
(1) Articles of incorporation	\$50.00 <u>\$100.00</u>
(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 registered office, or both	25.00 <u>No Fee</u>
(8) Agent's statement of change of registered office for each affected corporation not to exceed a total of	\$125.00
(9) (8) Agent's statement of resignation	No Fee
(10) (9) Amendment of articles of incorporation	\$50.00
(11) (10) Restatement of articles of incorporation with amendments	\$100.00
(12) (11) Articles of merger	\$100.00
(13) (12) Articles of dissolution	\$50.00 <u>No Fee</u>
(14) (13) Articles of revocation of dissolution	\$150.00
(15) (14) Certificate of administrative dissolution	no fee
(16) (15) Application for reinstatement following administrative dissolution	\$50.00
(17) (16) Certificate of reinstatement	no fee
(18) (17) Certificate of judicial dissolution	no fee
(19) (18) Application for certificate of authority	\$300.00 <u>\$600.00</u>
(20) (19) Application for amended certificate of authority	\$300.00
(21) (20) Application for certificate of withdrawal	\$300.00 <u>No Fee</u>

1	(22) (21)	Certificate of revocation of authority to transact	
2	business		no fee
3	(23) (22)	Articles of correction	\$30.00
4	(24) (23)	Application for certificate of existence	
5	or authorization		\$15.00 <u>\$25.00</u>
6	(25) (24)	Any other document required or permitted to be filed by	
7	this chapter.		\$25.00

8 (b)(1) The Secretary of State shall collect a fee of twenty-five
 9 dollars (\$25.00) upon being served with process under this chapter.

10 (2) The party to a proceeding causing service of process is
 11 entitled to recover the fee paid the Secretary of State as costs if the party
 12 prevails in the proceeding.

13 (c) The Secretary of State shall collect the following fees for
 14 copying and certifying the copy of any filed document relating to a domestic
 15 or foreign corporation:

16 (1) Fifty cents (50¢) a page for copying with a three-dollar
 17 minimum charge for copies mailed or faxed to a recipient; and

18 (2) Five dollars (\$5.00) for the certificate; and

19 (3) Twenty-five dollars (\$25.00) if one (1) or more files or
 20 records must be retrieved from an off-site storage or archive facility to
 21 comply with the recipient's request.

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

25	DOCUMENT	FEE	PROCESSING FEE
26	(1) Articles of incorporation for domestic non-profit		
27	corporation.....	\$ 40.00 <u>\$80.00</u>	. . . \$ 5.00 <u>\$10.00</u>
28	(2) Certificate of amendment of a non-profit corporation		
29	.....	\$ 40.00.	. . . . \$ 5.00
30	(3) Articles of dissolution of a non-profit corporation		
31	.....	40.00 <u>No Fee.</u>	. . . \$ 5.00 <u>No Fee</u>
32	(4) Application for foreign non-profit corporation seeking to do		
33	business in Arkansas	\$ 258.00 <u>\$528.00</u>	. . . . \$12.00
34	(5) For any other document not listed above, the cost for		
35	electronic filing is:		

36 (A) ~~\$4~~ Four dollars (\$4.00) for the processing fee when

- 1 the filing fee is \$0 to \$50;
- 2 (B) ~~\$5~~ Five dollars (\$5.00) for the processing fee when
- 3 the filing fee is \$51 to \$99;
- 4 (C) ~~\$10~~ Ten dollars (\$10.00) for the processing fee when
- 5 the filing fee is \$100 to \$299; and
- 6 (D) ~~\$12~~ Twelve dollars (\$12.00) for the processing fee
- 7 when the filing fee is \$300 or more.

8

9 SECTION 8. Arkansas Code § 4-42-703(a), concerning the registration of

10 limited liability partnerships, is amended to read as follows:

11 4-42-703. Registered limited liability partnerships.

12 (a)(1) To become and continue as a registered limited liability

13 partnership, a partnership shall file with the Secretary of State an

14 application stating:

- 15 (A) The name of the partnership;
- 16 (B) The address of its principal office;
- 17 (C) ~~If the partnership's principal office is not located~~
- 18 ~~in this state, the address of a registered office and the~~ The name and street
- 19 address of a registered agent for service of process in this state, which the
- 20 partnership shall be required to maintain;
- 21 (D) A brief statement of the business in which the
- 22 partnership engages; and
- 23 (E) That the partnership thereby applies for status as a
- 24 registered limited liability partnership.

25 (2)(A) The application shall be executed by one (1) or more

26 partners authorized to execute an application.

27 (B) The application shall be accompanied by a filing fee

28 of ~~fifty dollars (\$50.00)~~ one hundred dollars (\$100).

29 (C) The Secretary of State shall register as a registered

30 limited liability partnership any partnership that submits a completed

31 application with the required filing fee.

32 (D) Registration is effective after the date an

33 application is filed unless it is voluntarily withdrawn by filing with the

34 Secretary of State a written withdrawal notice executed by one (1) or more

35 partners authorized to execute a withdrawal notice.

36 (E) An amended filing with the Secretary of State shall be

1 required in the event a registered limited liability partnership changes:
2 (i) Its name;
3 (ii) The address of its principal office; or
4 (iii) The name and address of the registered agent
5 for service of process in this state.

6
7 SECTION 9. Arkansas Code § 4-42-708 is amended to read as follows:
8 4-42-708. Fees.

9 The Secretary of State shall collect the following fees when the
10 documents described in this section are delivered ~~to him~~ by electronic means:

DOCUMENT	FEE	PROCESSING FEE
(1) Application for fictitious name for domestic limited liability partnership	\$ 9.50 <u>\$18.50</u>	. . . . . \$4.00
(2) Application for fictitious name for foreign limited liability partnership	\$ 9.50 <u>\$18.50</u>	. . . . . \$4.00
(3) For any other document not listed above, the cost for electronic filing is:		

- 18 (A) Four dollars (\$4.00) for the processing fee when the
- 19 filing fee is \$0 to \$50;
- 20 (B) Five dollars (\$5.00) for the processing fee when the
- 21 filing fee is \$51 to \$99;
- 22 (C) Ten dollars (\$10.00) for the processing fee when the
- 23 filing fee is \$100 to \$299; and
- 24 (D) Twelve dollars (\$12.00) for the processing fee when
- 25 the filing fee is \$300 or more.

26
27 SECTION 10. Arkansas Code § 4-43-1104 is amended to read as follows:
28 4-43-1104. Fees for domestic limited partnerships.

29 (a) The Secretary of State shall collect the following fees when the
30 documents described in this subsection are delivered ~~to him~~ for filing:

Documents	Fees
(1) Registration of certificate of limited partnership	50.00 <u>\$100.00</u>
(2) Amendment of certificate of limited partnership	15.00 <u>50.00</u>
(3) Change of agent for service	15.00 <u>No Fee</u>

1	(4) Cancellation of certificate of		
2	limited partnership	15.00	<u>No Fee</u>
3	(5) Assignment of limited partnership interest	15.00	<u>50.00</u>
4	(6) Withdrawal of general partner	15.00	<u>50.00</u>
5	(7) Admission of new general partner	15.00	<u>50.00</u>
6	(8) Merger or consolidation of limited partnership with limited		
7	liability company.....	15.00	<u>100.00</u>
8	(9) Dissolution of limited partnership	15.00	<u>No Fee</u>
9	(10) Registration of certificate of foreign limited partnership		
10	.....	300.00	<u>600.00</u>
11	(11) Amendment of certificate of		
12	limited partnership	15.00	<u>300.00</u>
13	(12) Change of agent for service	15.00	<u>No Fee</u>
14	(13) Cancellation of certificate		
15	of limited partnership	15.00	<u>No Fee</u>
16	(14) Assignment of limited partnership interest	15.00	<u>300.00</u>
17	(15) Withdrawal of general partner	15.00	<u>300.00</u>
18	(16) Admission of new general partner	15.00	<u>300.00</u>
19	(17) Merger or consolidation of limited partnership with limited		
20	liability company.....	15.00	<u>100.00</u>
21	(18) Dissolution <u>Withdrawal</u> of limited partnership		
22	.....	15.00	<u>No Fee</u>

23 (b)(1) The Secretary of State shall collect a fee of twenty-five
 24 dollars (\$25.00) each time process is served on him or her under this
 25 chapter.

26 (2) The party to a proceeding causing service of process is
 27 entitled to recover ~~this~~ the process fee as costs if the party prevails in
 28 the proceeding.

29 (c) The Secretary of State shall collect the following fees for
 30 copying and certifying the copy of any filed document relating to a domestic
 31 or foreign limited liability limited partnership:

- 32 (1) Fifty cents (\$.50) a page for copying with a three-dollar
- 33 minimum charge for copies mailed or faxed to a recipient; and
- 34 (2) Five dollars (\$5.00) for the certificate; and
- 35 (3) Twenty-five dollars (\$25.00) if one (1) or more files or
- 36 records must be retrieved from an off-site storage or archive facility to

1 comply with the recipient's request.

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

DOCUMENT	FEE	PROCESSING FEE
(1) Application for fictitious name for domestic limited partnership.....	\$ 9.50 <u>\$18.50</u>	. . . \$ 4.00
(2) Application for fictitious name of foreign limited partnership.....	\$ 9.50 <u>\$18.50</u>	. . . \$ 4.00

12 SECTION 11. Arkansas Code § 4-43-1111 is amended to read as follows:
13 4-43-1111. Fees for limited liability limited partnerships.

14 (a) The Secretary of State shall collect the following fees when the
15 documents described in this subsection are delivered ~~to him or her~~ for
16 filing:

Document	Fee
1. Application for Registration of Limited Liability Limited Partnership.....	\$50.00 <u>\$100.00</u>
2. Amendment of Certificate of Limited Liability Limited Partnership (includes change or withdrawal of general partner)...	25.00 <u>50.00</u>
<u>3. Change of registered agent or office.....</u>	<u>No fee</u>
3. <u>4.</u> Restatement of Certificate of Limited Liability Limited Partnership	25.00 <u>100.00</u>
4. <u>5.</u> Withdrawal of Domestic Limited Liability Limited Partnership	25.00 <u>No Fee</u>
5. <u>6.</u> Application for Certificate of Authority by Foreign Limited Liability Limited Partnership	300.00 <u>600.00</u>
6. <u>7.</u> Application for Amended Certificate of Authority by Foreign Limited Liability Limited Partnership (includes change or withdrawal of general partner)	300.00 <u>300.00</u>
<u>8. Change of registered agent or office.....</u>	<u>No fee</u>
7. <u>9.</u> Application for Certificate of Withdrawal by Foreign Limited Liability Limited Partnership	25.00 <u>No Fee</u>
8. <u>10.</u> Application for Certificate of Existence or Authorization	

1 by Domestic Limited Liability Limited Partnership15.00 25.00
2 9. 11. Application for Registration as a Limited Partnership and
3 Limited Liability Limited Partnership.....50.00 100.00
4 12. Application for Registration as a Foreign Limited
5 Partnership and Limited Liability Limited Partnership.....\$600.00
6 ~~10.~~ 13. Any other document required or permitted to be filed by
7 this chapter.....15.00 25.00

8 (b)(1) The Secretary of State shall collect a fee of twenty-five
9 dollars (\$25.00) each time process is served on him or her under this
10 section.

11 (2) The party to a proceeding causing service of process is
12 entitled to recover ~~this~~ the process fee as costs if the party prevails in
13 the proceeding.

14 (c) The Secretary of State shall collect the following fees for
15 copying and certifying the copy of any filed document relating to a domestic
16 or foreign limited liability limited partnership:

- 17 (1) Fifty cents (\$.50) a page for copying with a three-dollar
- 18 minimum charge for copies mailed or faxed to a recipient; and
- 19 (2) Five dollars (\$5.00) for the certificate; and
- 20 (3) Twenty-five dollars (\$25.00) if one (1) or more files or
- 21 records must be retrieved from an off-site storage or archive facility to
- 22 comply with the recipient's request.

23
24 SECTION 12. Arkansas Code § 4-46-1207 is amended to read as follows:
25 4-46-1207. Fees.

26 ~~(a) The cost for filing the initial document with the Secretary of State~~
27 ~~under this chapter shall be fifty dollars (\$50.00) for a domestic partnership~~
28 ~~and three hundred dollars (\$300) for a foreign partnership. The cost for~~
29 ~~filing all other documents with the Secretary of State under this chapter,~~
30 ~~whether domestic or foreign, shall be fifteen dollars (\$15.00).~~

31 ~~— (b) If the initial filing with the Secretary of State under this chapter~~
32 ~~is the annual report, the cost shall be fifteen dollars (\$15.00).~~

33 (a) The Secretary of State shall collect the following fees when the
34 documents described in this chapter are delivered for filing:

- 35 (1) Statement of partnership authority \$100.00
- 36 (2) Amendment of statement partnership authority.....\$50.00

- 1 (3) Change of agent for service.....No Fee
- 2 (4) Cancellation of statement of partnership authority...No Fee
- 3 (5) Statement of conversion or merger.....\$100.00
- 4 (6) Statement of dissolution.....No Fee
- 5 (7) Statement of dissociation.....\$50.00
- 6 (8) Statement of denial.....\$50.00
- 7 (9) Statement of foreign partnership authority.....\$600.00
- 8 (10) Amendment of statement of foreign partnership authority
- 9 300.00
- 10 (11) Change of foreign partnership agent for
- 11 service.....No Fee
- 12 (12) Cancellation of statement of foreign partnership authority
- 13No Fee
- 14 (13) Any other document required or permitted to be filed by
- 15 this chapter.....25.00

16 (b)(1) The Secretary of State shall collect a fee of twenty-five
 17 dollars (\$25.00) each time process is served on him or her under this
 18 chapter.

19 (2) The party to a proceeding causing service of process is
 20 entitled to recover the process fee as costs if the party prevails in the
 21 proceeding.

22 (c) The Secretary of State shall collect the following fees for
 23 copying and certifying the copy of any filed document relating to a domestic
 24 or foreign partnership:

25 (1) Fifty cents (50¢) a page for copying with a three-dollar
 26 minimum charge for copies mailed or faxed to a recipient;

27 (2) Five dollars (\$5.00) for the certificate; and

28 (3) Twenty-five dollars (\$25.00) if one (1) or more files or
 29 records must be retrieved from an off-site storage or archive facility to
 30 comply with the recipient's request.

31 (d) The Secretary of State shall collect the following fees when the
 32 documents described in this chapter are delivered by electronic means:

33 (1) Four dollars (\$4.00) for the processing fee when the filing
 34 fee is \$0 to \$50;

35 (2) Five dollars (\$5.00) for the processing fee when the filing
 36 fee is \$51 to \$99;

1 (3) Ten dollars (\$10.00) for the processing fee when the filing
2 fee is \$100 to \$299; and

3 (4) Twelve dollars (\$12.00) for the processing fee when the
4 filing fee is \$300 or more.

5
6 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
7 General Assembly of the State of Arkansas that business entities are
8 presently paying different fees for similar services from the Secretary of
9 State; that this act will alleviate any undue hardship to any entity by
10 standardizing business and commercial filing fees; and that this act is
11 immediately necessary to aid the recordkeeping and accounting functions of
12 the Secretary of State and should take effect at the beginning of the state's
13 fiscal year. Therefore, an emergency is declared to exist and this act being
14 necessary for the preservation of the public peace, health, and safety shall
15 become effective on July 1, 2005.