

#### **490A.121 Filing duty of secretary of state.**

1. If a document delivered to the office of the secretary of state for filing satisfies the requirements of section 490A.120, the secretary of state shall file it and issue any necessary certificate.
2. The secretary of state files a document by stamping or otherwise endorsing "*filed*", together with the secretary of state's name and official title and the date and time of receipt, on both the document and the receipt for the filing fee, and recording the document in the records of the secretary of state. After filing a document, and except as provided in section 490A.503, the secretary of state shall deliver the document, with the filing fee receipt, or acknowledgment of receipt if no fee is required, attached, to the domestic or foreign limited liability company or its representative.
3. If the secretary of state refuses to file a document, the secretary of state shall return it to the domestic or foreign limited liability company or its representative within ten days after the document was received by the secretary of state, together with a brief, written explanation of the reason for the refusal.
4. The secretary of state's duty to file documents under this section is ministerial. Filing or refusing to file a document does not:
  - a. Affect the validity or invalidity of the document in whole or part.
  - b. Relate to the correctness or incorrectness of information contained in the document.
  - c. Create a presumption that the document is valid or invalid or that information contained in the document is correct or incorrect.