

Reprinted 4/2/81

SENATE FILE 394

BY COMMITTEE ON STATE GOVERNMENT

(FORMERLY SSB 293)

Approved 2/10 (p. 750)

Passed Senate, Date 4-2-81 (p. 1084) Passed House, Date _____

Vote: Ayes 30 Nays 18 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act increasing corporate and uniform commercial code filing
2 fees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 394

S-3349

1 Amend Senate File 394 as follows:

2 1. Page 10, by inserting after line 18 the
3 following:

4 "For fixture filings there shall be a fee of three
5 dollars per page for recording and a fee of three
6 dollars per page for a total or partial release of
7 the fixture filing."

S-3349 FILED
APRIL 2, 1981
ADOPTED (p. 1084)

BY ARTHUR A. SMALL, JR.
JOHN N. NYSTROM

1 Section 1. Section 9.4, Code 1981, is amended to read
2 as follows:

3 9.4 FEES. The secretary of state shall collect all fees
4 directed by law to be collected by ~~him~~ the secretary of state,
5 including the following:

6 1. For certificate, with seal attached, ~~two~~ three dollars.

7 2. For a copy of any law or record, upon the request of
8 any private person or corporation, a fee to be determined
9 by the secretary of state not to exceed ten cents per page.

10 Sec. 2. Section 77.4, subsection 5, Code 1981, is amended
11 to read as follows:

12 5. Remit the sum of ~~seven~~ fifteen dollars ~~fifty-cents~~
13 for the three-year period provided by law to the secretary
14 of state.

15 Sec. 3. Section 96.14, subsection 8, paragraph a, Code
16 1981, is amended to read as follows:

17 a. By filing a copy of said original notice of suit with
18 said secretary of state, together with a fee of ~~two~~ four
19 dollars, and

20 Sec. 4. Section 106A.4, subsection 1, Code 1981, is amended
21 to read as follows:

22 1. By filing a copy of said original notice of suit with
23 said secretary of state, together with a fee of ~~two~~ four
24 dollars, and

25 Sec. 5. Section 496A.7, subsection 5, unnumbered para-
26 graph 2, is amended to read as follows:

27 Such election shall be made by filing with the secretary
28 of state an application executed by an officer of the
29 corporation, setting forth such assumed name and paying to
30 the secretary of state a filing fee of ~~twenty~~ forty dollars.

31 Sec. 6. Section 496A.7, subsection 5, unnumbered paragraphs
32 3 and 4, Code 1981, are amended to read as follows:

33 At the time annual license fees are payable under this
34 chapter, a corporation which has elected to adopt an assumed
35 name shall pay to the secretary of state an annual fee of

1 ~~five~~ ten dollars for such assumed name. However, if the
2 assumed name was filed and became effective in December of
3 any year, the first annual fee of ~~five~~ ten dollars shall be
4 paid at the time of filing of the annual report in the second
5 year following such December.

6 If the corporation fails to pay the annual fee when due
7 and payable, the secretary of state shall give notice to the
8 corporation of such nonpayment by registered or certified
9 mail; and if such fee together with a penalty of ~~five~~ ten
10 dollars is not paid within sixty days after such notice is
11 mailed, the right to use such assumed name shall cease.

12 Sec. 7. Section 496A.124, Code 1981, is amended to read
13 as follows:

14 496A.124 FEES FOR FILING DOCUMENTS AND ISSUING
15 CERTIFICATES. The secretary of state shall charge and collect
16 for:

17 1. Filing articles of incorporation and issuing a
18 certificate of incorporation, ~~twenty~~ twenty five dollars.

19 2. Filing articles of amendment and issuing a certificate
20 of amendment, ~~twenty~~ twenty five dollars.

21 3. Filing restated articles of incorporation, ~~twenty~~ twenty five
22 dollars.

23 4. Filing articles of merger or consolidation and issuing
24 a certificate of merger or consolidation, ~~twenty~~ twenty five dollars.

25 5. Filing an application to reserve a corporate name,
26 ~~five~~ ten dollars.

27 6. Filing a notice of transfer of a reserved corporate
28 name, ~~five~~ ten dollars.

29 7. Filing a statement of change of address of registered
30 office or change of registered agent, or both, ~~one-dollar~~
31 five dollars. If a single statement of change changes the
32 address of the registered office of more than one corporation,
33 the fee shall be ~~one-dollar~~ five dollars for each corporation
34 the address of whose registered office is changed thereby.

35 8. Filing a statement of the establishment of a series

- 1 of shares, ~~five~~ ten dollars.
- 2 9. Filing a statement of cancellation of shares, ~~five~~
- 3 ten dollars.
- 4 10. Filing a statement of reduction of stated capital,
- 5 ~~five~~ ten dollars.
- 6 11. Filing a statement of intent to dissolve, ~~one-dollar~~
- 7 five dollars.
- 8 12. Filing a statement of revocation of voluntary
- 9 dissolution proceedings, ~~one-dollar~~ five dollars.
- 10 13. Filing articles of dissolution, ~~one-dollar~~ five
- 11 dollars.
- 12 14. Filing an application of a foreign corporation for
- 13 a certificate of authority to transact business in this state
- 14 and issuing a certificate of authority, ~~twenty~~ eighty dollars.
- 15 15. Filing an application of a foreign corporation for
- 16 an amended certificate of authority to transact business in
- 17 this state and issuing an amended certificate of authority,
- 18 ~~twenty~~ eighty dollars.
- 19 16. Filing a copy of an amendment to the articles of
- 20 incorporation of a foreign corporation holding a certificate
- 21 of authority to transact business in this state, ~~ten~~ forty
- 22 dollars.
- 23 17. Filing a copy of articles of merger of a foreign
- 24 corporation holding a certificate of authority to transact
- 25 business in this state, ~~twenty~~ fifty dollars.
- 26 18. Filing an application for withdrawal of a foreign
- 27 corporation and issuing a certificate of withdrawal, ~~five~~
- 28 ten dollars.
- 29 19. Filing any other statement or report, except an annual
- 30 report, of a domestic or foreign corporation, ~~one-dollar~~ five
- 31 dollars.
- 32 ~~20---Recording-any-instrument,-document,-or-paper,-fifty~~
- 33 ~~cents-per-page-~~
- 34 Sec. 8. Section 496A.125, Code 1981, is amended to read
- 35 as follows:

1 496A.125 MISCELLANEOUS CHARGES. The secretary of state
 2 shall charge and collect:

3 1. For furnishing a certified copy of any document,
 4 instrument, or paper relating to a corporation, ~~fifty-cents~~
 5 one dollar per page and ~~two~~ five dollars for the certificate
 6 and affixing the seal thereto; and for furnishing an
 7 uncertified copy, ~~fifty-cents~~ one dollar per page.

8 2. At the time of any service of process on ~~him~~ the
 9 secretary of state as resident agent of a corporation, ~~five~~
 10 ten dollars, which amount may be recovered as taxable costs
 11 by the party to the suit or action causing such service to
 12 be made if such party prevails in the suit or action.

13 3. For a certificate of good standing, five dollars.

14 Sec. 9. Section 496A.126, Code 1981, is amended to read
 15 as follows:

16 496A.126 ANNUAL LICENSE FEES PAYABLE BY DOMESTIC
 17 CORPORATIONS. At the time of filing its annual report, each
 18 domestic corporation shall pay to the secretary of state an
 19 annual license fee for the calendar year, which shall be due
 20 on January 1, payable March 31, to be based on its stated
 21 capital, as follows:

		STATED CAPITAL		FEE	
23	Over	Not over	\$ 20,000	\$ 5	<u>15</u>
24	\$ 20,000	but not over	40,000	10	<u>20</u>
25	40,000	but not over	60,000	15	<u>25</u>
26	60,000	but not over	80,000	20	<u>30</u>
27	80,000	but not over	100,000	25	<u>35</u>
28	100,000	but not over	150,000	30	<u>40</u>
29	150,000	but not over	200,000	35	<u>45</u>
30	200,000	but not over	250,000	40	<u>50</u>
31	250,000	but not over	300,000	45	<u>55</u>
32	300,000	but not over	350,000	50	<u>60</u>
33	350,000	but not over	400,000	55	<u>65</u>
34	400,000	but not over	500,000	60	<u>70</u>
35	500,000	but not over	600,000	70	<u>80</u>

1	600,000	but not over	700,000	80	<u>90</u>
2	700,000	but not over	800,000	90	<u>100</u>
3	800,000	but not over	900,000	100	<u>110</u>
4	900,000	but not over	1,000,000	110	<u>120</u>
5	1,000,000	but not over	2,500,000	175	<u>185</u>
6	2,500,000	but not over	5,000,000	250	<u>260</u>
7	5,000,000	but not over	10,000,000	350	<u>360</u>
8	10,000,000	but not over	50,000,000	800	<u>810</u>
9	50,000,000	but not over	100,000,000	1,200	<u>1,210</u>
10	100,000,000	but not over	200,000,000	1,600	<u>1,610</u>
11	200,000,000	but not over	300,000,000	2,000	<u>2,010</u>
12	300,000,000	but not over	500,000,000	2,500	<u>2,510</u>
13	500,000,000			3,000	<u>3,010</u>

14 Provided, that a domestic corporation having no stated
 15 capital, or a foreign corporation having no stated capital
 16 or no property in Iowa, shall pay an annual license fee of
 17 five fifteen dollars.

18 Sec. 10. Section 496A.127, Code 1981, is amended to read
 19 as follows:

20 496A.127 ANNUAL LICENSE FEES PAYABLE BY FOREIGN
 21 CORPORATIONS. At the time of filing its annual report, each
 22 foreign corporation having a permit to transact business in
 23 this state shall pay to the secretary of state an annual
 24 license fee for the calendar year, which shall be due on
 25 January 1, payable March 31, to be based on the sum total
 26 of the fair and reasonable value of all property employed
 27 and used in Iowa as of January 1 of the year in which the
 28 report is due, without deductions of sums due and owing by
 29 said foreign corporation. The annual license fee to be paid
 30 by said foreign corporation shall be based upon the sum so
 31 computed which shall be considered the stated capital in this
 32 state for the purpose of said annual license fee, and the
 33 fees to be paid thereon shall be computed by applying the
 34 schedule of annual license fees as in this chapter prescribed
 35 for domestic corporations.

1 A foreign corporation shall have the option, if it so
2 elects, to pay its annual license fee upon its total stated
3 capital, and said fee shall be computed by applying the
4 schedule of annual license fees as in this chapter prescribed
5 for domestic corporations.

6 The minimum annual license fee shall be ~~five~~ fifteen
7 dollars.

8 Sec. 11. Section 496A.129, subsection 3, paragraph c,
9 subparagraph (2), Code 1981, is amended to read as follows:

10 (2) The credit herein provided for may not be applied
11 to the extent that it would reduce the annual license fee
12 below the minimum of ~~five~~ fifteen dollars.

13 Sec. 12. Section 496A.130, unnumbered paragraph 1, Code
14 1981, is amended to read as follows:

15 Each corporation, domestic or foreign, that fails or refuses
16 to file its annual report for any year within the time
17 prescribed by this chapter, shall be subject to a penalty
18 of ten percent of the amount of the annual license fee
19 determined by the secretary of state to be due and payable
20 by such corporation for the period beginning January first
21 of the year in which such report should have been filed.

22 If the amount of the annual license fee originally determined
23 by the secretary of state shall thereafter be adjusted in
24 accordance with the provisions of this chapter, the amount
25 of the penalty shall be likewise adjusted to ten percent of
26 the amount of the adjusted license fee. In no event shall
27 such penalty be less than ~~five~~ fifteen dollars. The amount
28 of the license fee and the amount of the penalty shall be
29 separately stated in any notice to the corporation with respect
30 thereto.

31 Sec. 13. Section 496A.130, subsection 3, unnumbered para-
32 graph 1, Code 1981, is amended to read as follows:

33 The payment to the secretary of state by the corporation
34 of all annual license fees and penalties then due and
35 theretofore becoming due and an additional penalty of one

1 two hundred dollars.

2 Sec. 14. Section 504A.85, Code 1981, is amended to read
3 as follows:

4 504A.85 FEES FOR FILING DOCUMENTS AND ISSUING CERTIFICATES.

5 The secretary of state shall charge and collect for:

6 1. Filing articles of incorporation and issuing a
7 certificate of incorporation, ~~ten~~ twenty dollars.

8 2. Filing statement of election to accept the chapter,
9 ~~one-dollar~~ five dollars.

10 3. Filing articles of amendment and issuing a certificate
11 of amendment, ~~five~~ ten dollars.

12 4. Filing restated articles of incorporation, ~~ten~~ twenty
13 dollars.

14 5. Filing articles of merger or consolidation and issuing
15 a certificate of merger or consolidation, ~~five~~ twenty dollars.

16 6. Filing an application to reserve a corporate name,
17 ~~five~~ ten dollars.

18 7. Filing a notice of transfer of a reserved corporate
19 name, ~~five~~ ten dollars.

20 8. Filing a statement of change of address of registered
21 office or change of registered agent, or both, ~~one-dollar~~
22 five dollars. If a single statement of change changes the
23 address of the registered office of more than one corporation,
24 the fee shall be ~~one-dollar~~ five dollars for each corporation
25 the address of whose registered office is changed thereby.

26 9. Filing articles of dissolution, ~~one-dollar~~ five dollars.

27 10. Filing an application of a foreign corporation for
28 a certificate of authority to conduct affairs in this state
29 and issuing a certificate of authority, ~~ten~~ twenty dollars.

30 11. Filing an application of a foreign corporation for
31 an amended certificate of authority to conduct affairs in
32 this state and issuing an amended certificate of authority,
33 ~~five~~ twenty dollars.

34 12. Filing a copy of an amendment to the articles of
35 incorporation of a foreign corporation holding a certificate

1 of authority to conduct affairs in this state, ~~five~~ ten
2 dollars.

3 .13. Filing a copy of articles of merger of a foreign
4 corporation holding a certificate of authority to conduct
5 affairs in this state, ~~five~~ twenty dollars.

6 14. Filing an application for withdrawal of a foreign
7 corporation and issuing a certificate of withdrawal, ~~one~~
8 dollar five dollars.

9 15. Filing any other statement or report, ~~including an~~
10 ~~annual report~~, of a domestic or foreign corporation, ~~one~~
11 dollar five dollars.

12 ~~16. Recording any instrument, document, or paper, fifty~~
13 ~~cents per page.~~

14 Sec. 15. Section 504A.86, Code 1981, is amended to read
15 as follows:

16 504A.86 MISCELLANEOUS CHARGES. The secretary of state
17 shall charge and collect:

18 1. For furnishing a certified copy of any document, instru-
19 ment, or paper relating to a corporation, ~~fifty cents~~ one
20 dollar per page and ~~two~~ five dollars for the certificate and
21 affixing the seal thereto; and for furnishing an uncertified
22 copy, ~~fifty cents~~ one dollar per page.

23 2. At the time of any service of process on ~~him~~ the
24 secretary of state as resident agent of a corporation, ~~five~~
25 ten dollars, which amount may be recovered as taxable costs
26 by the party to the suit or action causing such service to
27 be made if such party prevails in the suit or action.

28 3. For a certificate of good standing, ~~two~~ five dollars.

29 Sec. 16. Section 554.9403, subsection 5, Code 1981, is
30 amended to read as follows:

31 5. The uniform fee for filing and indexing and for stamping
32 a copy furnished by the secured party to show the date and
33 place of filing shall be as follows:

34 a. ~~Three~~ Four dollars for an original financing statement
35 if the statement is in the standard form prescribed by the

1 secretary of state, and otherwise ~~four~~ five dollars.

2 b. ~~Two~~ Four dollars for a continuation statement if the
3 statement is in the standard form prescribed by the secretary
4 of state, and otherwise ~~three~~ five dollars. -

5 Sec. 17. Section 554.9405, subsections 1 and 2, Code 1981,
6 are amended to read as follows:

7 1. A financing statement may disclose an assignment of
8 a security interest in the collateral described in the
9 financing statement by indication in the financing statement
10 of the name and address of the assignee or by an assignment
11 itself or a copy thereof on the face or back of the statement.
12 On presentation to the filing officer of such a financing
13 statement the filing officer shall mark the same as provided
14 in section 554.9403, subsection 4. The uniform fee for filing,
15 indexing and furnishing filing data for a financing statement
16 so indicating an assignment on a form conforming to standards
17 prescribed by the secretary of state shall be ~~three~~ four
18 dollars, or if such statement otherwise conforms to the
19 requirements of this section, ~~four~~ five dollars.

20 2. A secured party may assign of record all or a part
21 of ~~his~~ the rights under a financing statement by the filing
22 in the place where the original financing statement was filed
23 of a separate written statement of assignment signed by the
24 secured party of record and setting forth the name of the
25 secured party of record and the debtor, the file number and
26 the date of filing of the financing statement and the name
27 and address of the assignee and containing a description of
28 the collateral assigned. A copy of the assignment is
29 sufficient as a separate statement if it complies with the
30 preceding sentence. On presentation to the filing officer
31 of such a separate statement, the filing officer shall mark
32 such separate statement with the date and hour of the filing.
33 ~~He~~ The filing officer shall note the assignment on the index
34 of the financing statement, or in the case of a fixture filing,
35 or a filing covering timber to be cut, or covering minerals

1 or the like (including oil and gas) or accounts subject to
2 section 554.9103, subsection 5, he the filing officer shall
3 index the assignment under the name of the assignor as grantor
4 and, to the extent that the law of this state provides for
5 indexing the assignment of a mortgage under the name of the
6 assignee, he the filing officer shall index the assignment
7 of the financing statement under the name of the assignee.
8 The uniform fee for filing, indexing and furnishing filing
9 data about such a separate statement of assignment on a form
10 conforming to standards prescribed by the secretary of state
11 shall be ~~two~~ four dollars, or if such statement otherwise
12 conforms to the requirements of this section, ~~three~~ five
13 dollars. Notwithstanding the provisions of this subsection,
14 an assignment of record of a security interest in a fixture
15 contained in a mortgage effective as a fixture filing (section
16 554.9402, subsection 6), may be made only by an assignment
17 of the mortgage in the manner provided by the law of this
18 state other than this chapter.

19 Sec. 18. Section 554.9406, Code 1981, is amended to read
20 as follows:

21 554.9406 RELEASE OF COLLATERAL--DUTIES OF FILING OFFICER--
22 -FEES. A secured party of record may by ~~his~~ a signed statement
23 release all or a part of any collateral described in a filed
24 financing statement. The statement of release is sufficient
25 if it contains a description of the collateral being released,
26 the name and address of the debtor, the name and address of
27 the secured party, and the file number of the financing
28 statement. A statement of release signed by a person other
29 than the secured party of record must be accompanied by a
30 separate written statement of assignment signed by the secured
31 party of record and complying with section 554.9405, subsection
32 2, including payment of the required fee. Upon presentation
33 of such a statement of release ~~to~~ the filing officer ~~he~~ shall
34 mark the statement with the hour and date of filing and shall
35 note the same upon the margin of the index of the filing of

1 the financing statement. The uniform fee for filing and
2 noting such a statement of release on a form conforming to
3 standards prescribed by the secretary of state shall be ~~two~~
4 four dollars, or if such statement otherwise conforms to the
5 requirements of this section, ~~three~~ five dollars.

6 Sec. 19. Section 554.9407, subsection 2, Code 1981, is
7 amended to read as follows:

8 2. Upon request of any person, the filing officer shall
9 issue ~~his~~ a certificate showing whether there is on file on
10 the date and hour stated therein, any presently effective
11 financing statement naming a particular debtor and any
12 financing statement changes and if there is, giving the date
13 and hour of filing of each such filing and the names and
14 addresses of each secured party therein. The uniform fee
15 for such a certificate shall be ~~two~~ four dollars if the request
16 for the certificate is on a form conforming to standards
17 prescribed by the secretary of state; otherwise, ~~three~~ five
18 dollars. Upon request and the payment of the appropriate
19 fee the filing officer shall furnish a certified copy of any
20 filed financing statement or financing statement changes for
21 a uniform fee of one dollar per page.

22 Sec. 20. Section 617.3, unnumbered paragraph 3, Code 1981,
23 is amended to read as follows:

24 Service of such process or original notice shall be made
25 (1) by filing duplicate copies of said process or original
26 notice with said secretary of state, together with a fee of
27 ~~five~~ ten dollars, and (2) by mailing to the defendant and
28 to each of them if more than one, by registered or certified
29 mail, a notification of said filing with the secretary of
30 state, the same to be so mailed within ten days after such
31 filing with the secretary of state. Such notification shall
32 be mailed to each ~~such~~ foreign corporation at the address
33 of its principal office in the state or country under the
34 laws of which it is incorporated and to each such nonresident
35 person at ~~his~~ an address in the state of ~~his~~ residence. The

1 defendant shall have sixty days from the date of such filing
2 with the secretary of state within which to appear. Proof
3 of service shall be made by filing in court the duplicate
4 copy of the process or original notice with the secretary
5 of state's certificate of filing, and the affidavit of the
6 plaintiff or his the plaintiff's attorney of compliance
7 herewith.

8 EXPLANATION

9 This bill raises fees collected by the secretary of state
10 that relate to corporate filings and the Uniform Commercial
11 Code.

12 The bill takes effect July 1 following enactment.

13 SENATE FILE 394

14 FISCAL NOTE

15 REQUESTED BY SENATOR NYSTROM

16
17 In compliance with a written request there is hereby submitted a
18 Fiscal Note for Senate File 394 pursuant to Joint Rule 16.

19 S.F. 394, An Act increasing corporate and uniform commercial code filing fees.

20 Actual fee receipts Fiscal 1980 \$ 1,553,132
21 Estimated receipts Fiscal 1981 1,611,729

	<u>FY '82</u>	<u>FY '83</u>
22 Estimated Receipts at present fee level	\$ 1,615,347	1,729,901
23 Estimated additional revenue to be 24 gained with passage of proposed fee 25 changes	<u>1,243,685</u>	<u>1,390,100</u>
26 Total estimated receipts, including 27 proposed fee changes	<u>\$ 2,859,032</u>	<u>3,120,001</u>

28 SOURCE: SECRETARY OF STATE

29 FILED
30 MARCH 18, 1981

31 BY GERRY RANKIN, DIRECTOR
32 LEGISLATIVE FISCAL BUREAU

Ways and Means: Poffenberger, Chair; Renken and Connolly.

To Pass 4/24/81 (p. 1418)

SENATE FILE

394

BY COMMITTEE ON STATE GOVERNMENT

(AS AMENDED AND PASSED BY THE SENATE APRIL 2, 1981)

Passed Senate, Date 4-2-81 (p. 1084) ^{Failed} Passed House, Date 4-28-81 (p. 1471)
Vote: Ayes 30 Nays 18 Vote: Ayes 45 Nays 54

Approved May 18, 1981

Motion to reconsider (p. 1486) Provided 5/5/81
Passed House 5-5-81 (p. 1657)
58-34

A BILL FOR

1 An Act increasing corporate and uniform commercial code filing
2 fees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5

H-4008

SENATE FILE 394

1 Amend Senate File 394, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 8, by striking line 29 through page 11
4 line 24 and inserting in lieu thereof the following:
5 "Sec. ____ Section 554.9405, subsection 2,
6 Code 1981, is amended by adding the following new
7 paragraph:
8 NEW PARAGRAPH. For fixture filings there shall
9 be a fee of three dollars per page for recording and
10 a fee of three dollars per page for a total or partial
11 release of the fixture filing."

H-4008 FILED MAY 5, 1981
LOST (p. 1656)

NORLAND of Worth

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21
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1 Section 1. Section 9.4, Code 1981, is amended to read
2 as follows:

3 9.4 FEES. The secretary of state shall collect all fees
4 directed by law to be collected by ~~him~~ the secretary of state,
5 including the following:

6 1. For certificate, with seal attached, ~~two~~ three dollars.

7 2. For a copy of any law or record, upon the request of
8 any private person or corporation, a fee to be determined
9 by the secretary of state not to exceed ten cents per page.

10 Sec. 2. Section 77.4, subsection 5, Code 1981, is amended
11 to read as follows:

12 5. Remit the sum of ~~seven~~ fifteen dollars ~~fifty-cents~~
13 for the three-year period provided by law to the secretary
14 of state.

15 Sec. 3. Section 96.14, subsection 8, paragraph a, Code
16 1981, is amended to read as follows:

17 a. By filing a copy of said original notice of suit with
18 said secretary of state, together with a fee of ~~two~~ four
19 dollars, and

20 Sec. 4. Section 106A.4, subsection 1, Code 1981, is amended
21 to read as follows:

22 1. By filing a copy of said original notice of suit with
23 said secretary of state, together with a fee of ~~two~~ four
24 dollars, and

25 Sec. 5. Section 496A.7, subsection 5, unnumbered para-
26 graph 2, is amended to read as follows:

27 Such election shall be made by filing with the secretary
28 of state an application executed by an officer of the
29 corporation, setting forth such assumed name and paying to
30 the secretary of state a filing fee of ~~twenty~~ forty dollars.

31 Sec. 6. Section 496A.7, subsection 5, unnumbered paragraphs
32 3 and 4, Code 1981, are amended to read as follows:

33 At the time annual license fees are payable under this
34 chapter, a corporation which has elected to adopt an assumed
35 name shall pay to the secretary of state an annual fee of

1 ~~five~~ ten dollars for such assumed name. However, if the
2 assumed name was filed and became effective in December of
3 any year, the first annual fee of ~~five~~ ten dollars shall be
4 paid at the time of filing of the annual report in the second
5 year following such December.

6 If the corporation fails to pay the annual fee when due
7 and payable, the secretary of state shall give notice to the
8 corporation of such nonpayment by registered or certified
9 mail; and if such fee together with a penalty of ~~five~~ ten
10 dollars is not paid within sixty days after such notice is
11 mailed, the right to use such assumed name shall cease.

12 Sec. 7. Section 496A.124, Code 1981, is amended to read
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14 496A.124 FEES FOR FILING DOCUMENTS AND ISSUING
15 CERTIFICATES. The secretary of state shall charge and collect
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17 1. Filing articles of incorporation and issuing a
18 certificate of incorporation, ~~twenty~~ fifty dollars.

19 2. Filing articles of amendment and issuing a certificate
20 of amendment, ~~twenty~~ fifty dollars.

21 3. Filing restated articles of incorporation, ~~twenty~~ fifty
22 dollars.

23 4. Filing articles of merger or consolidation and issuing
24 a certificate of merger or consolidation, ~~twenty~~ fifty dollars.

25 5. Filing an application to reserve a corporate name,
26 ~~five~~ ten dollars.

27 6. Filing a notice of transfer of a reserved corporate
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30 office or change of registered agent, or both, ~~one-dollar~~
31 five dollars. If a single statement of change changes the
32 address of the registered office of more than one corporation,
33 the fee shall be ~~one-dollar~~ five dollars for each corporation
34 the address of whose registered office is changed thereby.

35 8. Filing a statement of the establishment of a series

- 1 of shares, ~~five~~ ten dollars.
- 2 9. Filing a statement of cancellation of shares, ~~five~~
- 3 ten dollars.
- 4 10. Filing a statement of reduction of stated capital,
- 5 ~~five~~ ten dollars.
- 6 11. Filing a statement of intent to dissolve, ~~one-dollar~~
- 7 five dollars.
- 8 12. Filing a statement of revocation of voluntary
- 9 dissolution proceedings, ~~one-dollar~~ five dollars.
- 10 13. Filing articles of dissolution, ~~one-dollar~~ five
- 11 dollars.
- 12 14. Filing an application of a foreign corporation for
- 13 a certificate of authority to transact business in this state
- 14 and issuing a certificate of authority, ~~twenty~~ eighty dollars.
- 15 15. Filing an application of a foreign corporation for
- 16 an amended certificate of authority to transact business in
- 17 this state and issuing an amended certificate of authority,
- 18 ~~twenty~~ eighty dollars.
- 19 16. Filing a copy of an amendment to the articles of
- 20 incorporation of a foreign corporation holding a certificate
- 21 of authority to transact business in this state, ~~ten~~ forty
- 22 dollars.
- 23 17. Filing a copy of articles of merger of a foreign
- 24 corporation holding a certificate of authority to transact
- 25 business in this state, ~~twenty~~ fifty dollars.
- 26 18. Filing an application for withdrawal of a foreign
- 27 corporation and issuing a certificate of withdrawal, ~~five~~
- 28 ten dollars.
- 29 19. Filing any other statement or report, except an annual
- 30 report, of a domestic or foreign corporation, ~~one-dollar~~ five
- 31 dollars.
- 32 ~~20---Recording-any-instrument,-document,-or-paper,-fifty~~
- 33 ~~cents-per-page-~~
- 34 Sec. 8. Section 496A.125, Code 1981, is amended to read
- 35 as follows:

1 496A.125 MISCELLANEOUS CHARGES. The secretary of state
2 shall charge and collect:

3 1. For furnishing a certified copy of any document,
4 instrument, or paper relating to a corporation, ~~fifty-cents~~
5 one dollar per page and ~~two~~ five dollars for the certificate
6 and affixing the seal thereto; and for furnishing an
7 uncertified copy, ~~fifty-cents~~ one dollar per page.

8 2. At the time of any service of process on ~~him~~ the
9 secretary of state as resident agent of a corporation, ~~five~~
10 ten dollars, which amount may be recovered as taxable costs
11 by the party to the suit or action causing such service to
12 be made if such party prevails in the suit or action.

13 3. For a certificate of good standing, five dollars.

14 Sec. 9. Section 496A.126, Code 1981, is amended to read
15 as follows:

16 496A.126 ANNUAL LICENSE FEES PAYABLE BY DOMESTIC
17 CORPORATIONS. At the time of filing its annual report, each
18 domestic corporation shall pay to the secretary of state an
19 annual license fee for the calendar year, which shall be due
20 on January 1, payable March 31, to be based on its stated
21 capital, as follows:

		STATED CAPITAL		FEE	
22					
23	Over	Not over	\$ 20,000	\$ 5	<u>15</u>
24	\$ 20,000	but not over	40,000	10	<u>20</u>
25	40,000	but not over	60,000	15	<u>25</u>
26	60,000	but not over	80,000	20	<u>30</u>
27	80,000	but not over	100,000	25	<u>35</u>
28	100,000	but not over	150,000	30	<u>40</u>
29	150,000	but not over	200,000	35	<u>45</u>
30	200,000	but not over	250,000	40	<u>50</u>
31	250,000	but not over	300,000	45	<u>55</u>
32	300,000	but not over	350,000	50	<u>60</u>
33	350,000	but not over	400,000	55	<u>65</u>
34	400,000	but not over	500,000	60	<u>70</u>
35	500,000	but not over	600,000	70	<u>80</u>

1	600,000	but not over	700,000	80	<u>90</u>
2	700,000	but not over	800,000	90	<u>100</u>
3	800,000	but not over	900,000	100	<u>110</u>
4	900,000	but not over	1,000,000	110	<u>120</u>
5	1,000,000	but not over	2,500,000	175	<u>185</u>
6	2,500,000	but not over	5,000,000	250	<u>260</u>
7	5,000,000	but not over	10,000,000	350	<u>360</u>
8	10,000,000	but not over	50,000,000	800	<u>810</u>
9	50,000,000	but not over	100,000,000	1,200	<u>1,210</u>
10	100,000,000	but not over	200,000,000	1,600	<u>1,610</u>
11	200,000,000	but not over	300,000,000	2,000	<u>2,010</u>
12	300,000,000	but not over	500,000,000	2,500	<u>2,510</u>
13	500,000,000			3,000	<u>3,010</u>

14 Provided, that a domestic corporation having no stated
 15 capital, or a foreign corporation having no stated capital
 16 or no property in Iowa, shall pay an annual license fee of
 17 five fifteen dollars.

18 Sec. 10. Section 496A.127, Code 1981, is amended to read
 19 as follows:

20 496A.127 ANNUAL LICENSE FEES PAYABLE BY FOREIGN
 21 CORPORATIONS. At the time of filing its annual report, each
 22 foreign corporation having a permit to transact business in
 23 this state shall pay to the secretary of state an annual
 24 license fee for the calendar year, which shall be due on
 25 January 1, payable March 31, to be based on the sum total
 26 of the fair and reasonable value of all property employed
 27 and used in Iowa as of January 1 of the year in which the
 28 report is due, without deductions of sums due and owing by
 29 said foreign corporation. The annual license fee to be paid
 30 by said foreign corporation shall be based upon the sum so
 31 computed which shall be considered the stated capital in this
 32 state for the purpose of said annual license fee, and the
 33 fees to be paid thereon shall be computed by applying the
 34 schedule of annual license fees as in this chapter prescribed
 35 for domestic corporations.

1 A foreign corporation shall have the option, if it so
2 elects, to pay its annual license fee upon its total stated
3 capital, and said fee shall be computed by applying the
4 schedule of annual license fees as in this chapter prescribed
5 for domestic corporations.

6 The minimum annual license fee shall be ~~five~~ fifteen
7 dollars.

8 Sec. 11. Section 496A.129, subsection 3, paragraph c,
9 subparagraph (2), Code 1981, is amended to read as follows:

10 (2) The credit herein provided for may not be applied
11 to the extent that it would reduce the annual license fee
12 below the minimum of ~~five~~ fifteen dollars.

13 Sec. 12. Section 496A.130, unnumbered paragraph 1, Code
14 1981, is amended to read as follows:

15 Each corporation, domestic or foreign, that fails or refuses
16 to file its annual report for any year within the time
17 prescribed by this chapter, shall be subject to a penalty
18 of ten percent of the amount of the annual license fee
19 determined by the secretary of state to be due and payable
20 by such corporation for the period beginning January first
21 of the year in which such report should have been filed.

22 If the amount of the annual license fee originally determined
23 by the secretary of state shall thereafter be adjusted in
24 accordance with the provisions of this chapter, the amount
25 of the penalty shall be likewise adjusted to ten percent of
26 the amount of the adjusted license fee. In no event shall
27 such penalty be less than ~~five~~ fifteen dollars. The amount
28 of the license fee and the amount of the penalty shall be
29 separately stated in any notice to the corporation with respect
30 thereto.

31 Sec. 13. Section 496A.130, subsection 3, unnumbered para-
32 graph 1, Code 1981, is amended to read as follows:

33 The payment to the secretary of state by the corporation
34 of all annual license fees and penalties then due and
35 theretofore becoming due and an additional penalty of one

1 two hundred dollars.

2 Sec. 14. Section 504A.85, Code 1981, is amended to read
3 as follows:

4 504A.85 FEES FOR FILING DOCUMENTS AND ISSUING CERTIFICATES.

5 The secretary of state shall charge and collect for:

6 1. Filing articles of incorporation and issuing a
7 certificate of incorporation, ~~ten~~ twenty dollars.

8 2. Filing statement of election to accept the chapter,
9 ~~one-dollar~~ five dollars.

10 3. Filing articles of amendment and issuing a certificate
11 of amendment, ~~five~~ ten dollars.

12 4. Filing restated articles of incorporation, ~~ten~~ twenty
13 dollars.

14 5. Filing articles of merger or consolidation and issuing
15 a certificate of merger or consolidation, ~~five~~ twenty dollars.

16 6. Filing an application to reserve a corporate name,
17 ~~five~~ ten dollars.

18 7. Filing a notice of transfer of a reserved corporate
19 name, ~~five~~ ten dollars.

20 8. Filing a statement of change of address of registered
21 office or change of registered agent, or both, ~~one-dollar~~
22 five dollars. If a single statement of change changes the
23 address of the registered office of more than one corporation,
24 the fee shall be ~~one-dollar~~ five dollars for each corporation
25 the address of whose registered office is changed thereby.

26 9. Filing articles of dissolution, ~~one-dollar~~ five dollars.

27 10. Filing an application of a foreign corporation for
28 a certificate of authority to conduct affairs in this state
29 and issuing a certificate of authority, ~~ten~~ twenty dollars.

30 11. Filing an application of a foreign corporation for
31 an amended certificate of authority to conduct affairs in
32 this state and issuing an amended certificate of authority,
33 ~~five~~ twenty dollars.

34 12. Filing a copy of an amendment to the articles of
35 incorporation of a foreign corporation holding a certificate

1 of authority to conduct affairs in this state, ~~five~~ ten
2 dollars.

3 13. Filing a copy of articles of merger of a foreign
4 corporation holding a certificate of authority to conduct
5 affairs in this state, ~~five~~ twenty dollars.

6 14. Filing an application for withdrawal of a foreign
7 corporation and issuing a certificate of withdrawal, ~~one~~
8 ~~dollar~~ five dollars.

9 15. Filing any other statement or report, ~~including an~~
10 ~~annual report,~~ of a domestic or foreign corporation, ~~one~~
11 ~~dollar~~ five dollars.

12 ~~16. Recording any instrument, document, or paper, fifty~~
13 ~~cents per page.~~

14 Sec. 15. Section 504A.86, Code 1981, is amended to read
15 as follows:

16 504A.86 MISCELLANEOUS CHARGES. The secretary of state
17 shall charge and collect:

18 1. For furnishing a certified copy of any document, instru-
19 ment, or paper relating to a corporation, ~~fifty cents~~ one
20 dollar per page and ~~two~~ five dollars for the certificate and
21 affixing the seal thereto; and for furnishing an uncertified
22 copy, ~~fifty cents~~ one dollar per page.

23 2. At the time of any service of process on ~~him~~ the
24 secretary of state as resident agent of a corporation, ~~five~~
25 ten dollars, which amount may be recovered as taxable costs
26 by the party to the suit or action causing such service to
27 be made if such party prevails in the suit or action.

28 3. For a certificate of good standing, ~~two~~ five dollars.

29 Sec. 16. Section 554.9403, subsection 5, Code 1981, is
30 amended to read as follows:

31 5. The uniform fee for filing and indexing and for stamping
32 a copy furnished by the secured party to show the date and
33 place of filing shall be as follows:

34 a. ~~Three~~ Four dollars for an original financing statement
35 if the statement is in the standard form prescribed by the

1 secretary of state, and otherwise ~~four~~ five dollars.

2 b. ~~Two~~ Four dollars for a continuation statement if the
3 statement is in the standard form prescribed by the secretary
4 of state, and otherwise ~~three~~ five dollars.

5 Sec. 17. Section 554.9405, subsections 1 and 2, Code 1981,
6 are amended to read as follows:

7 1. A financing statement may disclose an assignment of
8 a security interest in the collateral described in the
9 financing statement by indication in the financing statement
10 of the name and address of the assignee or by an assignment
11 itself or a copy thereof on the face or back of the statement.
12 On presentation to the filing officer of such a financing
13 statement the filing officer shall mark the same as provided
14 in section 554.9403, subsection 4. The uniform fee for filing,
15 indexing and furnishing filing data for a financing statement
16 so indicating an assignment on a form conforming to standards
17 prescribed by the secretary of state shall be ~~three~~ four
18 dollars, or if such statement otherwise conforms to the
19 requirements of this section, ~~four~~ five dollars.

20 2. A secured party may assign of record all or a part
21 of ~~his~~ the rights under a financing statement by the filing
22 in the place where the original financing statement was filed
23 of a separate written statement of assignment signed by the
24 secured party of record and setting forth the name of the
25 secured party of record and the debtor, the file number and
26 the date of filing of the financing statement and the name
27 and address of the assignee and containing a description of
28 the collateral assigned. A copy of the assignment is
29 sufficient as a separate statement if it complies with the
30 preceding sentence. On presentation to the filing officer
31 of such a separate statement, the filing officer shall mark
32 such separate statement with the date and hour of the filing.
33 ~~He~~ The filing officer shall note the assignment on the index
34 of the financing statement, or in the case of a fixture filing,
35 or a filing covering timber to be cut, or covering minerals

1 or the like (including oil and gas) or accounts subject to
 2 section 554.9103, subsection 5, ~~he~~ the filing officer shall
 3 index the assignment under the name of the assignor as grantor
 4 and, to the extent that the law of this state provides for
 5 indexing the assignment of a mortgage under the name of the
 6 assignee, ~~he~~ the filing officer shall index the assignment
 7 of the financing statement under the name of the assignee.
 8 The uniform fee for filing, indexing and furnishing filing
 9 data about such a separate statement of assignment on a form
 10 conforming to standards prescribed by the secretary of state
 11 shall be ~~two~~ four dollars, or if such statement otherwise
 12 conforms to the requirements of this section, ~~three~~ five
 13 dollars. Notwithstanding the provisions of this subsection,
 14 an assignment of record of a security interest in a fixture
 15 contained in a mortgage effective as a fixture filing (section
 16 554.9402, subsection 6), may be made only by an assignment
 17 of the mortgage in the manner provided by the law of this
 18 state other than this chapter.

19 For fixture filings there shall be a fee of three dollars
 20 per page for recording and a fee of three dollars per page
 21 for a total or partial release of the fixture filing.

22 Sec. 18. Section 554.9406, Code 1981, is amended to read
 23 as follows:

24 554.9406 RELEASE OF COLLATERAL--DUTIES OF FILING OFFICER--
 25 -FEES. A secured party of record may by ~~his~~ a signed statement
 26 release all or a part of any collateral described in a filed
 27 financing statement. The statement of release is sufficient
 28 if it contains a description of the collateral being released,
 29 the name and address of the debtor, the name and address of
 30 the secured party, and the file number of the financing
 31 statement. A statement of release signed by a person other
 32 than the secured party of record must be accompanied by a
 33 separate written statement of assignment signed by the secured
 34 party of record and complying with section 554.9405, subsection
 35 2, including payment of the required fee. Upon presentation

1 of such a statement of release to the filing officer he shall
2 mark the statement with the hour and date of filing and shall
3 note the same upon the margin of the index of the filing of
4 the financing statement. The uniform fee for filing and
5 noting such a statement of release on a form conforming to
6 standards prescribed by the secretary of state shall be ~~two~~
7 four dollars, or if such statement otherwise conforms to the
8 requirements of this section, ~~three~~ five dollars.

9 Sec. 19. Section 554.9407, subsection 2, Code 1981, is
10 amended to read as follows:

11 2. Upon request of any person, the filing officer shall
12 issue ~~his~~ a certificate showing whether there is on file on
13 the date and hour stated therein, any presently effective
14 financing statement naming a particular debtor and any
15 financing statement changes and if there is, giving the date
16 and hour of filing of each such filing and the names and
17 addresses of each secured party therein. The uniform fee
18 for such a certificate shall be ~~two~~ four dollars if the request
19 for the certificate is on a form conforming to standards
20 prescribed by the secretary of state; otherwise, ~~three~~ five
21 dollars. Upon request and the payment of the appropriate
22 fee the filing officer shall furnish a certified copy of any
23 filed financing statement or financing statement changes for
24 a uniform fee of one dollar per page.

25 Sec. 20. Section 617.3, unnumbered paragraph 3, Code 1981,
26 is amended to read as follows:

27 Service of such process or original notice shall be made
28 (1) by filing duplicate copies of said process or original
29 notice with said secretary of state, together with a fee of
30 ~~five~~ ten dollars, and (2) by mailing to the defendant and
31 to each of them if more than one, by registered or certified
32 mail, a notification of said filing with the secretary of
33 state, the same to be so mailed within ten days after such
34 filing with the secretary of state. Such notification shall
35 be mailed to each ~~sueh~~ foreign corporation at the address

1 of its principal office in the state or country under the
2 laws of which it is incorporated and to each such nonresident
3 person at ~~his~~ an address in the state of ~~his~~ residence. The
4 defendant shall have sixty days from the date of such filing
5 with the secretary of state within which to appear. Proof
6 of service shall be made by filing in court the duplicate
7 copy of the process or original notice with the secretary
8 of state's certificate of filing, and the affidavit of the
9 plaintiff or ~~his~~ the plaintiff's attorney of compliance
10 herewith.

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SENATE FILE 394

H-4007

1 Amend Senate File 394, as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, by inserting after line 9 the
4 following:
5 "Notwithstanding any other provision of the Code
6 to the contrary, each year the secretary of state
7 shall adjust all fees collected by that office by
8 an amount which the secretary estimates will equal
9 the amount appropriated to the secretary of state
10 by the general assembly."

H-4007 FILED MAY 5, 1981
LOST (71652)

BY AVENSON of Fayette

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SF 394
sg/slc/26c

SENATE FILE 394

AN ACT
 INCREASING CORPORATE AND UNIFORM COMMERCIAL CODE FILING FEES.

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

Section 1. Section 9.4, Code 1981, is amended to read as follows:

9.4 FEES. The secretary of state shall collect all fees directed by law to be collected by ~~him~~ the secretary of state, including the following:

1. For certificate, with seal attached, ~~two~~ three dollars.
2. For a copy of any law or record, upon the request of any private person or corporation, a fee to be determined by the secretary of state not to exceed ten cents per page.

Sec. 2. Section 77.4, subsection 5, Code 1981, is amended to read as follows:

5. Remit the sum of ~~seven~~ fifteen dollars ~~fifty-cents~~ for the three-year period provided by law to the secretary of state.

Sec. 3. Section 96.14, subsection 8, paragraph a, Code 1981, is amended to read as follows:

a. By filing a copy of said original notice of suit with said secretary of state, together with a fee of ~~two~~ four dollars, and

Sec. 4. Section 106A.4, subsection 1, Code 1981, is amended to read as follows:

1. By filing a copy of said original notice of suit with said secretary of state, together with a fee of ~~two~~ four dollars, and

Sec. 5. Section 496A.7, subsection 5, unnumbered paragraph 2, Code 1981, is amended to read as follows:

Such election shall be made by filing with the secretary of state an application executed by an officer of the corporation, setting forth such assumed name and paying to the secretary of state a filing fee of ~~twenty~~ forty dollars.

Sec. 6. Section 496A.7, subsection 5, unnumbered paragraphs 3 and 4, Code 1981, are amended to read as follows:

At the time annual license fees are payable under this chapter, a corporation which has elected to adopt an assumed name shall pay to the secretary of state an annual fee of ~~five~~ ten dollars for such assumed name. However, if the assumed name was filed and became effective in December of any year, the first annual fee of ~~five~~ ten dollars shall be paid at the time of filing of the annual report in the second year following such December.

If the corporation fails to pay the annual fee when due and payable, the secretary of state shall give notice to the corporation of such nonpayment by registered or certified mail; and if such fee together with a penalty of ~~five~~ ten dollars is not paid within sixty days after such notice is mailed, the right to use such assumed name shall cease.

Sec. 7. Section 496A.124, Code 1981, is amended to read as follows:

496A.124 FEES FOR FILING DOCUMENTS AND ISSUING CERTIFICATES. The secretary of state shall charge and collect for:

1. Filing articles of incorporation and issuing a certificate of incorporation, ~~twenty~~ fifty dollars.
2. Filing articles of amendment and issuing a certificate of amendment, ~~twenty~~ fifty dollars.
3. Filing restated articles of incorporation, ~~twenty~~ fifty dollars.
4. Filing articles of merger or consolidation and issuing a certificate of merger or consolidation, ~~twenty~~ fifty dollars.
5. Filing an application to reserve a corporate name, ~~five~~ ten dollars.
6. Filing a notice of transfer of a reserved corporate name, ~~five~~ ten dollars.
7. Filing a statement of change of address of registered office or change of registered agent, or both, ~~one-dollar~~ five dollars. If a single statement of change changes the

address of the registered office of more than one corporation, the fee shall be ~~one-dollar~~ five dollars for each corporation the address of whose registered office is changed thereby.

6. Filing a statement of the establishment of a series of shares, five ten dollars.

9. Filing a statement of cancellation of shares, five ten dollars.

10. Filing a statement of reduction of stated capital, five ten dollars.

11. Filing a statement of intent to dissolve, ~~one-dollar~~ five dollars.

12. Filing a statement of revocation of voluntary dissolution proceedings, ~~one-dollar~~ five dollars.

13. Filing articles of dissolution, ~~one-dollar~~ five dollars.

14. Filing an application of a foreign corporation for a certificate of authority to transact business in this state and issuing a certificate of authority, twenty eighty dollars.

15. Filing an application of a foreign corporation for an amended certificate of authority to transact business in this state and issuing an amended certificate of authority, twenty eighty dollars.

16. Filing a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate of authority to transact business in this state, ten forty dollars.

17. Filing a copy of articles of merger of a foreign corporation holding a certificate of authority to transact business in this state, twenty fifty dollars.

18. Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, five ten dollars.

19. Filing any other statement or report, except an annual report, of a domestic or foreign corporation, ~~one-dollar~~ five dollars.

~~20. Recording any instrument, document, or paper, fifty cents per page.~~

Sec. 8. Section 496A.125, Code 1981, is amended to read as follows:

496A.125 MISCELLANEOUS CHARGES. The secretary of state shall charge and collect:

1. For furnishing a certified copy of any document, instrument, or paper relating to a corporation, fifty-cents one dollar per page and two five dollars for the certificate and affixing the seal thereto; and for furnishing an uncertified copy, fifty-cents one dollar per page.

2. At the time of any service of process on ~~him~~ the secretary of state as resident agent of a corporation, five ten dollars, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action.

3. For a certificate of good standing, five dollars.

Sec. 9. Section 496A.126, Code 1981, is amended to read as follows:

496A.126 ANNUAL LICENSE FEES PAYABLE BY DOMESTIC CORPORATIONS. At the time of filing its annual report, each domestic corporation shall pay to the secretary of state an annual license fee for the calendar year, which shall be due on January 1, payable March 31, to be based on its stated capital, as follows:

STATED CAPITAL		FEE	
Over	Not over	\$	
\$ 20,000	but not over	\$ 20,000	\$ 6 <u>15</u>
40,000	but not over	40,000	<u>10</u> <u>20</u>
60,000	but not over	60,000	<u>15</u> <u>25</u>
80,000	but not over	80,000	<u>20</u> <u>30</u>
100,000	but not over	100,000	<u>25</u> <u>35</u>
150,000	but not over	150,000	<u>30</u> <u>40</u>
200,000	but not over	200,000	<u>35</u> <u>45</u>
250,000	but not over	250,000	<u>40</u> <u>50</u>
300,000	but not over	300,000	<u>45</u> <u>55</u>
300,000	but not over	350,000	<u>50</u> <u>60</u>

350,000	but not over	400,000	55	<u>65</u>
400,000	but not over	500,000	60	<u>70</u>
500,000	but not over	600,000	70	<u>80</u>
600,000	but not over	700,000	80	<u>90</u>
700,000	but not over	800,000	90	<u>100</u>
800,000	but not over	900,000	100	<u>110</u>
900,000	but not over	1,000,000	110	<u>120</u>
1,000,000	but not over	2,500,000	175	<u>185</u>
2,500,000	but not over	5,000,000	250	<u>260</u>
5,000,000	but not over	10,000,000	350	<u>360</u>
10,000,000	but not over	50,000,000	600	<u>810</u>
50,000,000	but not over	100,000,000	1,200	<u>1,210</u>
100,000,000	but not over	200,000,000	1,600	<u>1,610</u>
200,000,000	but not over	300,000,000	2,000	<u>2,010</u>
300,000,000	but not over	500,000,000	2,500	<u>2,510</u>
500,000,000			3,000	<u>3,010</u>

Provided, that a domestic corporation having no stated capital, or a foreign corporation having no stated capital or no property in Iowa, shall pay an annual license fee of five fifteen dollars.

Sec. 10. Section 496A.127, Code 1981, is amended to read as follows:

496A.127 ANNUAL LICENSE FEES PAYABLE BY FOREIGN CORPORATIONS. At the time of filing its annual report, each foreign corporation having a permit to transact business in this state shall pay to the secretary of state an annual license fee for the calendar year, which shall be due on January 1, payable March 31, to be based on the sum total of the fair and reasonable value of all property employed and used in Iowa as of January 1 of the year in which the report is due, without deductions of sums due and owing by said foreign corporation. The annual license fee to be paid by said foreign corporation shall be based upon the sum so computed which shall be considered the stated capital in this state for the purpose of said annual license fee, and the fees to be paid thereon shall be computed by applying the

schedule of annual license fees as in this chapter prescribed for domestic corporations.

A foreign corporation shall have the option, if it so elects, to pay its annual license fee upon its total stated capital, and said fee shall be computed by applying the schedule of annual license fees as in this chapter prescribed for domestic corporations.

The minimum annual license fee shall be five fifteen dollars.

Sec. 11. Section 496A.129, subsection 3, paragraph c, subparagraph (2), Code 1981, is amended to read as follows:

(2) The credit herein provided for may not be applied to the extent that it would reduce the annual license fee below the minimum of five fifteen dollars.

Sec. 12. Section 496A.130, unnumbered paragraph 1, Code 1981, is amended to read as follows:

Each corporation, domestic or foreign, that fails or refuses to file its annual report for any year within the time prescribed by this chapter, shall be subject to a penalty of ten percent of the amount of the annual license fee determined by the secretary of state to be due and payable by such corporation for the period beginning January first of the year in which such report should have been filed. If the amount of the annual license fee originally determined by the secretary of state shall thereafter be adjusted in accordance with the provisions of this chapter, the amount of the penalty shall be likewise adjusted to ten percent of the amount of the adjusted license fee. In no event shall such penalty be less than five fifteen dollars. The amount of the license fee and the amount of the penalty shall be separately stated in any notice to the corporation with respect thereto.

Sec. 13. Section 496A.130, subsection 3, unnumbered paragraph 1, Code 1981, is amended to read as follows:

The payment to the secretary of state by the corporation of all annual license fees and penalties then due and

therefore becoming due and an additional penalty of ~~one~~ two hundred dollars.

Sec. 14. Section 504A.85, Code 1981, is amended to read as follows:

504A.85 FEES FOR FILING DOCUMENTS AND ISSUING CERTIFICATES.

The secretary of state shall charge and collect for:

1. Filing articles of incorporation and issuing a certificate of incorporation, ~~ten~~ twenty dollars.
2. Filing statement of election to accept the chapter, ~~one-dollar~~ five dollars.
3. Filing articles of amendment and issuing a certificate of amendment, five ten dollars.
4. Filing restated articles of incorporation, ~~ten~~ twenty dollars.
5. Filing articles of merger or consolidation and issuing a certificate of merger or consolidation, five twenty dollars.
6. Filing an application to reserve a corporate name, five ten dollars.
7. Filing a notice of transfer of a reserved corporate name, five ten dollars.
8. Filing a statement of change of address of registered office or change of registered agent, or both, ~~one-dollar~~ five dollars. If a single statement of change changes the address of the registered office of more than one corporation, the fee shall be ~~one-dollar~~ five dollars for each corporation the address of whose registered office is changed thereby.
9. Filing articles of dissolution, ~~one-dollar~~ five dollars.
10. Filing an application of a foreign corporation for a certificate of authority to conduct affairs in this state and issuing a certificate of authority, ~~ten~~ twenty dollars.
11. Filing an application of a foreign corporation for an amended certificate of authority to conduct affairs in this state and issuing an amended certificate of authority, five twenty dollars.
12. Filing a copy of an amendment to the articles of incorporation of a foreign corporation holding a certificate

of authority to conduct affairs in this state, ~~five~~ ten dollars.

13. Filing a copy of articles of merger of a foreign corporation holding a certificate of authority to conduct affairs in this state, five twenty dollars.

14. Filing an application for withdrawal of a foreign corporation and issuing a certificate of withdrawal, ~~one dollar~~ five dollars.

15. Filing any other statement or report, ~~including an annual report~~, of a domestic or foreign corporation, ~~one dollar~~ five dollars.

~~16. Recording any instrument, document, or paper, fifty cents per page.~~

Sec. 15. Section 504A.86, Code 1981, is amended to read as follows:

504A.86 MISCELLANEOUS CHARGES. The secretary of state shall charge and collect:

1. For furnishing a certified copy of any document, instrument, or paper relating to a corporation, ~~fifty cents~~ one dollar per page and ~~two~~ five dollars for the certificate and affixing the seal thereto; and for furnishing an uncertified copy, ~~fifty cents~~ one dollar per page.
2. At the time of any service of process on ~~him~~ the secretary of state as resident agent of a corporation, five ten dollars, which amount may be recovered as taxable costs by the party to the suit or action causing such service to be made if such party prevails in the suit or action.
3. For a certificate of good standing, ~~two~~ five dollars.

Sec. 16. Section 554.9403, subsection 5, Code 1981, is amended to read as follows:

5. The uniform fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing shall be as follows:

- a. ~~Three~~ Four dollars for an original financing statement if the statement is in the standard form prescribed by the secretary of state, and otherwise ~~four~~ five dollars.

b. ~~Two~~ Four dollars for a continuation statement if the statement is in the standard form prescribed by the secretary of state, and otherwise ~~three~~ five dollars.

Sec. 17. Section 554.9405, subsections 1 and 2, Code 1981, are amended to read as follows:

1. A financing statement may disclose an assignment of a security interest in the collateral described in the financing statement by indication in the financing statement of the name and address of the assignee or by an assignment itself or a copy thereof on the face or back of the statement. On presentation to the filing officer of such a financing statement the filing officer shall mark the same as provided in section 554.9403, subsection 4. The uniform fee for filing, indexing and furnishing filing data for a financing statement so indicating an assignment on a form conforming to standards prescribed by the secretary of state shall be ~~three~~ four dollars, or if such statement otherwise conforms to the requirements of this section, ~~four~~ five dollars.

2. A secured party may assign of record all or a part of ~~his~~ the rights under a financing statement by the filing in the place where the original financing statement was filed of a separate written statement of assignment signed by the secured party of record and setting forth the name of the secured party of record and the debtor, the file number and the date of filing of the financing statement and the name and address of the assignee and containing a description of the collateral assigned. A copy of the assignment is sufficient as a separate statement if it complies with the preceding sentence. On presentation to the filing officer of such a separate statement, the filing officer shall mark such separate statement with the date and hour of the filing. ~~He~~ The filing officer shall note the assignment on the index of the financing statement, or in the case of a fixture filing, or a filing covering timber to be cut, or covering minerals or the like (including oil and gas) or accounts subject to section 554.9103, subsection 5, ~~he~~ the filing officer shall

index the assignment under the name of the assignor as grantor and, to the extent that the law of this state provides for indexing the assignment of a mortgage under the name of the assignee, ~~he~~ the filing officer shall index the assignment of the financing statement under the name of the assignee. The uniform fee for filing, indexing and furnishing filing data about such a separate statement of assignment on a form conforming to standards prescribed by the secretary of state shall be ~~two~~ four dollars, or if such statement otherwise conforms to the requirements of this section, ~~three~~ five dollars. Notwithstanding the provisions of this subsection, an assignment of record of a security interest in a fixture contained in a mortgage effective as a fixture filing (section 554.9402, subsection 6), may be made only by an assignment of the mortgage in the manner provided by the law of this state other than this chapter.

For fixture filings there shall be a fee of three dollars per page for recording and a fee of three dollars per page for a total or partial release of the fixture filing.

Sec. 18. Section 554.9406, Code 1981, is amended to read as follows:

554.9406 RELEASE OF COLLATERAL--DUTIES OF FILING OFFICER--FEES. A secured party of record may by ~~his~~ a signed statement release all or a part of any collateral described in a filed financing statement. The statement of release is sufficient if it contains a description of the collateral being released, the name and address of the debtor, the name and address of the secured party, and the file number of the financing statement. A statement of release signed by a person other than the secured party of record must be accompanied by a separate written statement of assignment signed by the secured party of record and complying with section 554.9405, subsection 2, including payment of the required fee. Upon presentation of such a statement of release ~~to~~ the filing officer ~~he~~ shall mark the statement with the hour and date of filing and shall note the same upon the margin of the index of the filing of

the financing statement. The uniform fee for filing and noting such a statement of release on a form conforming to standards prescribed by the secretary of state shall be ~~two~~ four dollars, or if such statement otherwise conforms to the requirements of this section, ~~three~~ five dollars.

Sec. 19. Section 554.9407, subsection 2, Code 1981, is amended to read as follows:

2. Upon request of any person, the filing officer shall issue ~~his~~ a certificate showing whether there is on file on the date and hour stated therein, any presently effective financing statement naming a particular debtor and any financing statement changes and if there is, giving the date and hour of filing of each such filing and the names and addresses of each secured party therein. The uniform fee for such a certificate shall be ~~two~~ four dollars if the request for the certificate is on a form conforming to standards prescribed by the secretary of state; otherwise, ~~three~~ five dollars. Upon request and the payment of the appropriate fee the filing officer shall furnish a certified copy of any filed financing statement or financing statement changes for a uniform fee of one dollar per page.

Sec. 20. Section 617.3, unnumbered paragraph 3, Code 1981, is amended to read as follows:

Service of such process or original notice shall be made (1) by filing duplicate copies of said process or original notice with said secretary of state, together with a fee of ~~five~~ ten dollars, and (2) by mailing to the defendant and to each of them if more than one, by registered or certified mail, a notification of said filing with the secretary of state, the same to be so mailed within ten days after such filing with the secretary of state. Such notification shall be mailed to each ~~such~~ foreign corporation at the address of its principal office in the state or country under the laws of which it is incorporated and to each such nonresident person at ~~his~~ an address in the state of ~~his~~ residence. The defendant shall have sixty days from the date of such filing

with the secretary of state within which to appear. Proof of service shall be made by filing in court the duplicate copy of the process or original notice with the secretary of state's certificate of filing, and the affidavit of the plaintiff or ~~his~~ the plaintiff's attorney of compliance herewith.

TERRY E. BRANSTAD
President of the Senate

DELWYN STROMER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 394, Sixty-ninth General Assembly.

LINDA HOWARTH MACKAY
Secretary of the Senate

Approved May 18, 1981

ROBERT D. RAY
Governor