

House Study Bill 61 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED SECRETARY OF
STATE BILL)

A BILL FOR

1 An Act authorizing the secretary of state to modify fees for
2 businesses newly organizing in this state during an Iowa
3 start a business month.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

IOWA START-UP BUSINESS INITIATIVE

Section 1. NEW SECTION. 9.4A Iowa start a business initiative.

1. As used in this section, unless the context otherwise requires, "business entity" means a profit or nonprofit business organized under the laws of this state, including but not limited to a partnership or limited liability partnership under chapter 486A; a limited partnership under chapter 488; a limited liability company under chapter 489; a corporation under chapter 490; a cooperative association under chapter 499, 501, or 501A; or a nonprofit corporation under chapter 504.

2. The secretary of state may establish and administer an Iowa start a business initiative. In order to participate in the initiative as an Iowa start-up business, a business entity must qualify as a newly formed Iowa-based business according to requirements established by rules adopted by the secretary of state.

3. The secretary of state may designate a month as "Iowa start a business month".

4. The secretary of state may reduce or waive any fee that must be paid to the secretary of state as a direct result of organizing an Iowa start-up business during an Iowa start a business month, which may include a filing fee paid by a person as required pursuant to section 486A.1202, 488.1206, 489.117, 490.122, 499.45, 501.105, 501A.205, or 504.113.

5. If the secretary of state implements this section or any part of this section, it shall adopt all rules that the secretary of state determines are necessary for its administration.

DIVISION II

COORDINATING PROVISIONS

Sec. 2. Section 486A.1202, Code 2013, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The secretary of state may reduce or

1 waive any fee that is otherwise required to be collected by the
2 secretary of state under this chapter, if the fee is to be paid
3 by a person as a direct result of organizing an Iowa start-up
4 business as provided in section 9.4A.

5 Sec. 3. Section 488.1206, Code 2013, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 4. The secretary of state may reduce or
8 waive any fee that is otherwise required to be collected by the
9 secretary of state under this chapter, if the fee is to be paid
10 by a person as a direct result of organizing an Iowa start-up
11 business as provided in section 9.4A.

12 Sec. 4. Section 489.117, Code 2013, is amended by adding the
13 following new subsection:

14 NEW SUBSECTION. 3A. The secretary of state may reduce or
15 waive any fee that is otherwise required to be collected by the
16 secretary of state under this chapter, if the fee is to be paid
17 by a person as a direct result of organizing an Iowa start-up
18 business as provided in section 9.4A.

19 Sec. 5. Section 490.122, Code 2013, is amended by adding the
20 following new subsection:

21 NEW SUBSECTION. 4. The secretary of state may reduce or
22 waive any fee that is otherwise required to be collected by the
23 secretary of state under this chapter, if the fee is to be paid
24 by a person as a direct result of organizing an Iowa start-up
25 business as provided in section 9.4A.

26 Sec. 6. Section 499.45, Code 2013, is amended to read as
27 follows:

28 **499.45 Fees.**

29 1. A fee of twenty dollars shall be paid to the secretary
30 of state upon filing articles of incorporation, amendments, or
31 renewals.

32 2. Except as provided in this section, the association shall
33 pay the fees prescribed by section 490.122 when the documents
34 described in that section are delivered to the secretary of
35 state for filing.

1 3. The secretary of state may reduce or waive any fee that
2 is otherwise required to be collected by the secretary of state
3 under this chapter, if the fee is to be paid by a person as
4 a direct result of organizing an Iowa start-up business as
5 provided in section 9.4A.

6 Sec. 7. Section 501.105, Code 2013, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 7. The secretary of state may reduce or
9 waive any fee that is otherwise required to be collected by the
10 secretary of state under this chapter, if the fee is to be paid
11 by a person as a direct result of organizing an Iowa start-up
12 business as provided in section 9.4A.

13 Sec. 8. Section 501A.205, Code 2013, is amended by adding
14 the following new subsection:

15 NEW SUBSECTION. 4. The secretary of state may reduce or
16 waive any fee that is otherwise required to be collected by the
17 secretary of state under this chapter, if the fee is to be paid
18 by a person as a direct result of organizing an Iowa start-up
19 business as provided in section 9.4A.

20 Sec. 9. Section 504.113, Code 2013, is amended by adding the
21 following new subsection:

22 NEW SUBSECTION. 4. The secretary of state may reduce or
23 waive any fee that is otherwise required to be collected by the
24 secretary of state under this chapter, if the fee is to be paid
25 by a person as a direct result of organizing an Iowa start-up
26 business as provided in section 9.4A.

27 EXPLANATION

28 This bill authorizes the secretary of state to provide for an
29 Iowa start-up business initiative for the benefit of domestic
30 business entities newly organized under the laws of this state
31 according to rules adopted by the secretary of state. Under
32 the initiative, the secretary of state may designate a month
33 as "Iowa start a business month". The secretary of state may
34 reduce or waive any fee required to be paid by a person as a
35 direct result of organizing an Iowa start-up business during

1 that month (e.g., filing articles of incorporation for an Iowa
2 corporation). The businesses affected include partnerships
3 (Code chapter 486A), limited partnerships (Code chapter 488),
4 limited liability companies (Code chapter 489), business
5 corporations (Code chapter 490), various forms of cooperatives
6 (Code chapters 499, 501, and 501A), and nonprofit corporations
7 (Code chapter 504). The secretary of state is authorized to
8 adopt rules to administer the initiative.