## Senate Study Bill 1011 - 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:

1 DIVISION I

- 2 IOWA START-UP BUSINESS INITIATIVE
- 3 Section 1. <u>NEW SECTION</u>. **9.4A Iowa start a business** 4 initiative.
- 5 l. As used in this section, unless the context otherwise
- 6 requires, "business entity" means a profit or nonprofit business
- 7 organized under the laws of this state, including but not
- 8 limited to a partnership or limited liability partnership
- 9 under chapter 486A; a limited partnership under chapter 488;
- 10 a limited liability company under chapter 489; a corporation
- 11 under chapter 490; a cooperative association under chapter 499,
- 12 501, or 501A; or a nonprofit corporation under chapter 504.
- 2. The secretary of state may establish and administer an
- 14 Iowa start a business initiative. In order to participate in
- 15 the initiative as an Iowa start-up business, a business entity
- 16 must qualify as a newly formed Iowa-based business according to
- 17 requirements established by rules adopted by the secretary of
- 18 state.
- 19 3. The secretary of state may designate a month as "Iowa
- 20 start a business month".
- 21 4. The secretary of state may reduce or waive any fee that
- 22 must be paid to the secretary of state as a direct result of
- 23 organizing an Iowa start-up business during an Iowa start a
- 24 business month, which may include a filing fee paid by a person
- 25 as required pursuant to section 486A.1202, 488.1206, 489.117,
- 26 490.122, 499.45, 501.105, 501A.205, or 504.113.
- 27 5. If the secretary of state implements this section
- 28 or any part of this section, it shall adopt all rules that
- 29 the secretary of state determines are necessary for its
- 30 administration.
- 31 DIVISION II
- 32 COORDINATING PROVISIONS
- 33 Sec. 2. Section 486A.1202, Code 2013, is amended by adding
- 34 the following new subsection:
- 35 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.
- 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.
- 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.
- 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.