A BILL FOR

An Act relating to the powers and duties of the secretary of state, including requirements for persons filing certain documents or records with the office of secretary of state, business documents or records with the office of secretary of state, the payment of filing fees, and the appropriation of moneys.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. NEW SECTION. 9.9 Secretary of state’s operating fund — appropriations — report.

1. A secretary of state’s operating fund is created in the state treasury under the control and management of the secretary of state. The fund shall only include moneys from fees expressly authorized by statute to be collected by the office of the secretary of state for deposit in the fund. The secretary of state shall deposit moneys in the fund from the collection of such fees at least on a monthly basis.

2. Moneys in the fund are appropriated to the office of the secretary of state for the exclusive purpose of operating the office and performing functions required or allowed by law as the secretary determines necessary or desirable, and shall not require further special authorization by the general assembly.

3. a. The secretary of state shall prepare and submit to the governor and the general assembly not later than the end of each fiscal quarter beginning July 1, October 1, January 1, and April 1, a report in an electronic format summarizing all of the following:

   (1) Moneys billed, collected, or received for deposit in the fund, and the source of those moneys.

   (2) Moneys expended or transferred from the fund.

   (3) The unencumbered and unobligated moneys in the fund.

   b. The report shall be prepared in a format approved by the department of management in consultation with the legislative services agency.

4. a. Notwithstanding section 8.33, moneys deposited in the fund that remain unexpended or unobligated at the end of a fiscal year shall not revert to any other fund or account.

   b. Notwithstanding section 12C.7, interest or earnings on moneys in the fund shall be credited to the fund.

5. This section is repealed on July 1, 2021.

Sec. 2. Section 486A.1202, Code 2017, is amended to read as follows:

486A.1202 Fees.
H.F. 638

1. The secretary of state shall collect fees for documents described in this subsection which are delivered to the secretary's office for filing as follows:

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Statement of qualification</td>
<td>$50</td>
</tr>
<tr>
<td>b. Statement of foreign qualification</td>
<td>$100</td>
</tr>
<tr>
<td>c. Amendment to statement of qualification</td>
<td>$20</td>
</tr>
<tr>
<td>d. Amendment to statement of foreign qualification</td>
<td>$20</td>
</tr>
<tr>
<td>e. Cancellation of statement of qualification</td>
<td>$20</td>
</tr>
<tr>
<td>f. Cancellation of statement of foreign qualification</td>
<td>$20</td>
</tr>
<tr>
<td>g. Application for certificate of existence or qualification</td>
<td>$5</td>
</tr>
<tr>
<td>h. Statement of correction</td>
<td>$10</td>
</tr>
<tr>
<td>i. Statement of change</td>
<td>$10</td>
</tr>
<tr>
<td>j. Any other statement or document required or permitted to be filed</td>
<td>$5</td>
</tr>
</tbody>
</table>

2. The secretary of state shall collect a fee of five ten dollars each time process is served on the secretary under this chapter. The party to a proceeding causing service of process is entitled to recover this fee as costs if the party prevails in the proceeding.

3. The secretary of state shall collect fees for copying and certifying the copy of any filed document relating to a
domestic or foreign partnership as follows:

1. **a.** One dollar Two dollars a page for copying.

2. **b.** Five Ten dollars for the certificate.

Sec. 3. NEW SECTION. 486A.1202A Fees — deposit in general fund and secretary of state's operating fund.

1. **a.** On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 486A.1202 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state's operating fund created in section 9.9.

2. **b.** This subsection is repealed on June 30, 2021.

Sec. 4. Section 488.210, subsection 5, Code 2017, is amended to read as follows:

5. The first biennial report shall be delivered to the secretary of state between January 1 and April 1 of the first odd-numbered year following the calendar year in which a limited partnership was formed or a foreign limited partnership was authorized to transact business. Subsequent biennial reports must be delivered to the secretary of state between January 1 and April 1 of the following odd-numbered calendar years. A filing fee for the biennial report shall be determined by the secretary of state. For purposes of this section, each biennial report shall contain information related to the two-year period immediately preceding the calendar year in which the report is filed.

Sec. 5. Section 488.1206, Code 2017, is amended to read as follows:

488.1206 Fees.

1. **a.** The secretary of state shall collect the following fees when the documents records described in this subsection paragraph "a" are delivered to the secretary's office of the secretary of state for filing:
<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) (1) Certificate of limited partnership</td>
<td>$100</td>
</tr>
<tr>
<td>b) (2) Application for registration of foreign limited partnership and for issuance of a certificate of registration to transact business in this state</td>
<td>$100</td>
</tr>
<tr>
<td>c) (3) Amendment to certificate of limited partnership</td>
<td>$100</td>
</tr>
<tr>
<td>d) (4) Amendment to application for registration of foreign limited partnership</td>
<td>$100</td>
</tr>
<tr>
<td>e) (5) Cancellation of certificate of limited partnership</td>
<td>$20</td>
</tr>
<tr>
<td>f) (6) Cancellation of registration of foreign limited partnership</td>
<td>$20</td>
</tr>
<tr>
<td>g) (7) A consent required to be filed under this chapter</td>
<td>$20</td>
</tr>
<tr>
<td>h) (8) Application to reserve a limited partnership name</td>
<td>$10</td>
</tr>
<tr>
<td>i) (9) A notice of transfer of reservation of name</td>
<td>$10</td>
</tr>
<tr>
<td>j) Articles of correction</td>
<td>$5</td>
</tr>
<tr>
<td>(10) Resolution to adopt a fictitious name</td>
<td>$10</td>
</tr>
<tr>
<td>(11) Application for reinstatement</td>
<td>$10</td>
</tr>
<tr>
<td>k) (12) Application for certificate of existence or registration</td>
<td>$5</td>
</tr>
</tbody>
</table>
(13) Resignation of an agent ......................... $ 10
(14) A statement of correction ....................... $ 10
(15) A statement of dissociation ...................... $ 20
(16) A statement of dissolution ...................... $ 20
(17) A statement of termination ...................... $ 20
(18) A statement of change ........................... $ 20
(19) A biennial report ............................... $ 90
(20) Any other document record required or permitted to be filed ............................... $ 5

b. Notwithstanding paragraph "a", subparagraph (19), the secretary of state may require that a sixty dollar fee be collected when an electronic biennial report is delivered for filing by using the secretary of state's internet site in lieu of the fee collected when a paper biennial report is delivered for filing.

2. The secretary of state shall collect a fee of five ten dollars each time process is served on the secretary under this chapter. The party to a proceeding causing service of process is entitled to recover this fee as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed document record relating to a limited partnership or foreign limited partnership:

a. One dollar Two dollars per page for copying.

b. Five Ten dollars for certification.

Sec. 6. NEW SECTION. 488.1206A Fees — deposit in general fund and secretary of state's operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section...
488.1206 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state’s operating fund created in section 9.9.

b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 486A.1206 shall be deposited in the general fund.

Sec. 7. Section 489.117, Code 2017, is amended to read as follows:

489.117 Fees.

1. a. The secretary of state shall collect the following fees when documents records described in this subsection paragraph “a” are delivered to the secretary’s office or the secretary of state for filing:

<table>
<thead>
<tr>
<th>RECORD</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>αr (1) Certificate of organization</td>
<td>$50</td>
</tr>
<tr>
<td>βr (2) Application for use of indistinguishable name</td>
<td>$10</td>
</tr>
<tr>
<td>εr (3) Application for reserved name</td>
<td>$10</td>
</tr>
<tr>
<td>δr (4) Notice of transfer of reserved name</td>
<td>$10</td>
</tr>
<tr>
<td>(5) Resolution to adopt a fictitious name</td>
<td>$10</td>
</tr>
<tr>
<td>εr (6) Statement of change of registered agent or registered office or both</td>
<td>No fee</td>
</tr>
<tr>
<td>εr (7) Registered agent’s statement of change of registered office for each affected limited liability company</td>
<td>No fee</td>
</tr>
<tr>
<td>εr (8) Registered agent’s statement of resignation</td>
<td>No fee</td>
</tr>
</tbody>
</table>

No fee
<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Amendment to certificate of organization</td>
<td>$ 50</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>Restatement of certificate of organization with amendment</td>
<td>$ 50</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td>100</td>
</tr>
<tr>
<td>5</td>
<td>Articles of merger</td>
<td>$ 50</td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>100</td>
</tr>
<tr>
<td>7</td>
<td>Statement of dissolution</td>
<td>$ 5</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>9</td>
<td>Declaration of administrative dissolution</td>
<td>No fee</td>
</tr>
<tr>
<td>10</td>
<td></td>
<td>$ 0</td>
</tr>
<tr>
<td>11</td>
<td>Application for reinstatement after administrative dissolution</td>
<td>$ 5</td>
</tr>
<tr>
<td>12</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>13</td>
<td>Certificate of reinstatement</td>
<td>No fee</td>
</tr>
<tr>
<td>14</td>
<td></td>
<td>$ 0</td>
</tr>
<tr>
<td>15</td>
<td>Application for certificate of authority</td>
<td>$100</td>
</tr>
<tr>
<td>16</td>
<td></td>
<td>200</td>
</tr>
<tr>
<td>17</td>
<td>Application for amended certificate of authority</td>
<td>$100</td>
</tr>
<tr>
<td>18</td>
<td></td>
<td>200</td>
</tr>
<tr>
<td>19</td>
<td>Statement of cancellation</td>
<td>$ 10</td>
</tr>
<tr>
<td>20</td>
<td></td>
<td>20</td>
</tr>
<tr>
<td>21</td>
<td>Certificate of revocation of authority to transact business</td>
<td>No fee</td>
</tr>
<tr>
<td>22</td>
<td></td>
<td>$ 0</td>
</tr>
<tr>
<td>23</td>
<td>Statement of correction</td>
<td>$ 5</td>
</tr>
<tr>
<td>24</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>25</td>
<td>Application for certificate of existence or authorization</td>
<td>$ 5</td>
</tr>
<tr>
<td>26</td>
<td></td>
<td>10</td>
</tr>
</tbody>
</table>
biennial report $90

Any other document required or permitted to be filed by this chapter $5

b. Notwithstanding paragraph “a”, subparagraph (22), the secretary of state may require that a sixty dollar fee be collected when an electronic biennial report is delivered for filing by using the secretary of state’s internet site in lieu of the fee collected when a paper biennial report is delivered for filing.

2. The secretary of state shall collect a fee of five ten dollars each time process is served on the secretary under this chapter. The party to a proceeding causing service of process is entitled to recover this fee as costs if the party prevails in the proceeding.

3. The secretary of state shall collect the following fees for copying and certifying the copy of any filed record relating to a domestic or foreign limited liability company:

a. One-dollar Two dollars a page for copying.

b. Five Ten dollars for the certificate.

4. The secretary of state may impose, assess, and collect a filing fee as a condition to accepting a biennial report as provided in section 489.209.

Sec. 8. NEW SECTION. 489.118 Fees — deposit in general fund and secretary of state’s operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 489.117 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state’s operating fund created in section 9.9.

b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 489.117 shall be deposited in the general fund.
1 Sec. 9. Section 489.209, subsection 3, Code 2017, is amended
to read as follows:
3 3. The first biennial report under this section must be
delivered to the secretary of state between January 1 and
April 1 of the first odd-numbered year following the calendar
year in which a limited liability company was formed or a
foreign limited liability company was authorized to transact
business. A subsequent biennial report must be delivered
to the secretary of state between January 1 and April 1 of
each following odd-numbered calendar year. A filing fee for
the biennial report shall be determined by the secretary of
state pursuant to section 489.117. Each biennial report shall
contain information related to the two-year period immediately
preceding the calendar year in which the report is filed.

Sec. 10. Section 490.122, Code 2017, is amended to read as
follows:

490.122 Filing, service, and copying fees.
1. a. The secretary of state shall collect the following
fees when the documents described in this subsection paragraph
"a" are delivered to the secretary's office of the secretary of
state for filing:

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. (1) Articles of incorporation .......... $ 50</td>
<td></td>
</tr>
<tr>
<td>b. (2) Application for use of indistinguishable name ........................................ $ 10</td>
<td></td>
</tr>
<tr>
<td>c. (3) Application for reserved name .......... $ 10</td>
<td></td>
</tr>
<tr>
<td>d. (4) Notice of transfer of reserved name ...... $ 10</td>
<td></td>
</tr>
<tr>
<td>e. (5) Application for registered name per month or part thereof ........................ $ 2</td>
<td></td>
</tr>
<tr>
<td>f. (6) Application for renewal of registered</td>
<td></td>
</tr>
</tbody>
</table>
1 name ................................................................. $ 20
2  
3 (7) Resolution to adopt a fictitious name ........ $ 10
4  
5 $ 40
6  
7 (8) Corporation's statement of change of
8 registered agent or registered office or both....... No fee
9  
10 $ 0
11  
12 (9) Agent's statement of change of registered
13 office for each affected corporation .............. No fee
14  
15 $ 0
16  
17 (10) Agent's statement of resignation ....... No fee
18  
19 $ 0
20  
21 (11) Amendment of articles of
22 incorporation .................................................... $ 50
23  
24 $ 100
25  
26 (12) Restatement of articles of incorporation
27 with amendment of articles .............................. $ 50
28  
29 $ 100
30  
31 (13) Articles of merger, share exchange, or
32 conversion ....................................................... $ 50
33  
34 $ 100
35  
36 (14) Articles of dissolution ......................... $ 5
37  
38 $ 10
39  
40 (15) Articles of revocation of dissolution ... $ 5
41  
42 $ 10
43  
44 (16) Certificate of administrative
dissolution ......................................................... No fee
45  
46 $ 0
47  
48 (17) Application for reinstatement following
49 administrative dissolution .............................. $ 5
50  
51 $ 10
52  
53 (18) Certificate of reinstatement ............... No fee
54  
55 $ 0
56  
57 (19) Certificate of judicial dissolution ... No fee
58  
59 $ 0
60  
61 (20) Application for certificate of
H.F. 638

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Description</th>
</tr>
</thead>
</table>
| 1         | authority .................................................................. $100
| 2         | $200 |
| 3         | (21) Application for amended certificate of authority ........................................... $100
| 4         | $200 |
| 5         | (22) Application for certificate of withdrawal ........................................... $50
| 6         | $20 |
| 7         | (23) Certificate of revocation of authority to transact business ......................... No fee
| 8         | $0 |
| 9         | (24) Articles of correction .................................................. $5
| 10        | $0 |
| 11        | (25) Application for certificate of existence or authorization .......................... $5
| 12        | $0 |
| 13        | (26) Application for reinstatement .............................................. $10
| 14        | (27) Biennial report ............................................................. $90
| 15        | (28) Any other document required or permitted to be filed by this chapter ................ $5
| 16        | $0 |

2. Notwithstanding paragraph "a", subparagraph (27), the secretary of state may require that a sixty dollar fee be collected when an electronic biennial report is delivered for filing by using the secretary of state's internet site in lieu of the fee collected when a paper biennial report is delivered for filing.

2. The secretary of state shall collect a fee of five ten dollars each time process is served on the secretary under this chapter. The party to a proceeding causing service of process is entitled to recover this fee as costs if the party prevails in the proceeding.

3. 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 corporation:
H.F. 638

1. **$1.00** Two dollars a page for copying.
2. **$5.00** Ten dollars for the certificate.

Sec. 11. **NEW SECTION.** 490.122A Fees — deposit in the general fund and the secretary of state's operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 490.122 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state's operating fund created in section 9.9.

b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 490.122 shall be deposited in the general fund.

Sec. 12. Section 490.1622, subsection 3, Code 2017, is amended to read as follows:

3. The first biennial report shall be delivered to the secretary of state between January 1 and April 1 of the first even-numbered year following the calendar year in which a domestic corporation was incorporated or a foreign corporation was authorized to transact business. Subsequent biennial reports must be delivered to the secretary of state between January 1 and April 1 of the following even-numbered calendar years. A filing fee for the biennial report shall be determined by the secretary of state. For purposes of this section, each biennial report shall contain information related to the two-year period immediately preceding the calendar year in which the report is filed.

Sec. 13. Section 491.20, subsection 1, Code 2017, is amended to read as follows:

1. Amendments to articles of incorporation making changes in any of the provisions of the articles may be made at any annual meeting of the stockholders or special meeting called for that purpose, and they shall be valid only when approved by the shareholders and filed with the secretary of state. If no increase is made in the amount of capital stock, a certificate
fee of one dollar two dollars and a recording fee of fifty
cents one dollar per page must be paid. Where capital stock is
increased the certificate fee shall be omitted but there shall
be paid a recording fee of fifty cents one dollar per page and
in addition a filing fee which in case of corporations existing
for a period of years shall be one dollar two dollars per
thousand of such increase and in case of corporations empowered
to exist perpetually shall be one dollar two dollars and ten
twenty cents per thousand of such increase. Corporations
providing for perpetual existence by amendment to its articles
shall, at the time of filing such amendment, pay to the
secretary of state a fee of one two hundred dollars together
with a recording fee of fifty cents one dollar per page, and,
for all authorized capital stock in excess of ten thousand
dollars, an additional fee of one dollar ten two dollars twenty
cents per thousand.

Sec. 14. Section 491.23, Code 2017, is amended to read as
follows:

491.23 Dissolution — filing a statement with secretary of
state — fee.

1. A corporation may be dissolved prior to the period fixed
in the articles of incorporation, by unanimous consent, or in
accordance with the provisions of its articles, if a statement
swearing to the dissolution, signed by the officers of such
corporation, is filed with the secretary of state.

2. A filing fee of one dollar two dollars shall apply to be
paid with the filing of the statement described in subsection
1.

Sec. 15. Section 491.28, unnumbered paragraph 1, Code 2017,
is amended to read as follows:

Upon filing with the secretary of state the said certificate
and articles of incorporation, and upon the payment to the
secretary of state of the fees prescribed by section 491.11 for
newly organized corporations one hundred dollars, the secretary
of state shall issue a proper certificate for the renewal of
the corporation.

Sec. 16. NEW SECTION. 491.28A Fees — deposit in general
fund and secretary of state’s operating fund.

1. a. On and after July 1, 2017, fifty percent of each
fee collected by the secretary of state pursuant to sections
491.11, 491.20, 491.23, and 491.28, shall be deposited in the
general fund and fifty percent of that fee shall be deposited
in the secretary of state’s operating fund created in section
9.9.

b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each
fee collected by the secretary of state pursuant to sections
491.11, 491.20, 491.23, and 491.28 shall be deposited in the
general fund.

Sec. 17. Section 497.4, Code 2017, is amended to read as
follows:

497.4 Fee.

1. For filing an amendment to the articles of incorporation
of associations organized under this chapter, there shall be paid to the secretary of state ten dollars, and
for the filing of an amendment to such articles, five dollars;
provided that when the capital stock of such corporation shall
be less than five hundred dollars, such fee for filing either
of the articles of incorporation or amendments thereto shall be one dollar.

2. In all cases there shall be paid a recording fee of fifty
cents one dollar per page.

Sec. 18. NEW SECTION. 497.4A Fees — deposit in general
fund and secretary of state’s operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee
collected by the secretary of state under sections 497.4 and
497.22 shall be deposited in the general fund and fifty percent
of that fee shall be deposited in the secretary of state’s
operating fund created in section 9.9.

b. This subsection is repealed on June 30, 2021.
2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to sections 497.4 and 497.22 shall be deposited in the general fund.

Sec. 19. Section 497.22, Code 2017, is amended to read as follows:

497.22 Biennial report — penalty.

1. Section 504.1613 applies to a cooperative association organized under this chapter in the same manner as that section applies to a corporation organized under chapter 504. In addition to the information required to be set forth in the biennial report under section 504.1613, the cooperative association shall also set forth the total amount of business transacted, number of members, total expense of operation, total amount of indebtedness, and total profits or losses for each calendar or fiscal year of the two-year period which ended immediately preceding the first day of January of the year in which the report is filed.

2. There is no fee for filing a biennial report.

3. A cooperative association which fails to comply with this section before April 1 of the year in which the report is due is subject to a penalty of ten dollars.

Sec. 20. Section 498.6, Code 2017, is amended to read as follows:

498.6 Fees.

1. For filing an amendment to the articles of incorporation of associations an association organized under this chapter, there shall be paid to the secretary of state five dollars, and for the filing of an amendment to such articles, two four dollars.

2. In all cases there shall be paid a recording fee of fifty cents one dollar per page.

Sec. 21. NEW SECTION. 498.6A Fees — deposit in general fund and secretary of state's operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state under sections 498.6 and
1 498.24 shall be deposited in the general fund and fifty percent
2 of that fee shall be deposited in the secretary of state’s
3 operating fund created in section 9.9.
4  b. This subsection is repealed on June 30, 2021.
5 2. On and after July 1, 2021, one hundred percent of each
6 fee collected by the secretary of state pursuant to sections
7 498.6 and 498.24 shall be deposited in the general fund.
8  Sec. 22. Section 498.24, Code 2017, is amended to read as
9 follows:
10  498.24 Biennial report — penalty.
11 1. Section 504.1613 applies to a cooperative association
12 organized under this chapter in the same manner as that
13 section applies to a corporation organized under chapter 504.
14 In addition to the information required to be set forth in
15 the biennial report under section 504.1613, the cooperative
16 association shall also set forth the total amount of business
17 transacted, number of members, total expense of operation,
18 total amount of indebtedness, and total profits or losses for
19 each calendar or fiscal year of the two-year period which ended
20 immediately preceding the first day of January of the year in
21 which the report is filed.
22 2. There is no fee for filing a biennial report.
23 3. A cooperative association which fails to comply with this
24 section before April 1 of the year in which the report is due is
25 subject to a penalty of ten dollars.
26  Sec. 23. Section 499.45, Code 2017, is amended by striking
27 the section and inserting in lieu thereof the following:
28  499.45 Fees.
29 The secretary of state shall collect the following fees when
30 the documents described in this subsection are delivered to the
31 office of the secretary of state for filing:
32 DOCUMENT                                             FEE
33 1. Articles of incorporation ............................ $ 40
34 2. Articles of amendment ............................... $ 40
35 3. Renewed articles of incorporation ................... $ 40
1 4. Articles of merger ............................... $100
2 5. Articles of consolidation ....................... $100
3 6. Articles of dissolution .......................... $ 10
4 7. Articles of correction ............................ $ 10
5 8. Resolution to adopt a fictitious name ....... $ 10
6 9. Application for reinstatement ................... $ 10
7 10. Application for certificate of authority .................. $200
8 11. Application for amended certificate of authority .................. $200
9 12. Application for certificate of withdrawal .... $ 20
10 13. Application for reinstatement .................. $ 10
11 14. Cooperative association’s statement of change of registered agent or registered office
12 or both .............................................. $ 0
13 15. Agent’s statement of change of registered office for each affected cooperative .................. $ 0
14 16. Agent’s statement of resignation .................. $ 0
15 17. Biennial report ................................... $ 0
16 18. Any other document required or permitted to be filed by this chapter...................... $ 10
17
18 Sec. 24. NEW SECTION. 499.45A Fees — deposit in the general fund and the secretary of state’s operating fund.
19 1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 499.45 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state’s operating fund created in section 9.9.
20 b. This subsection is repealed on June 30, 2021.
21 2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 499.45 shall be deposited in the general fund.
22 Sec. 25. Section 499.54, Code 2017, is amended to read as follows:
23 499.54 Foreign associations.
1. Any foreign corporation organized under generally similar laws of any other state shall be admitted to do business in Iowa upon compliance with the general laws relating to foreign corporations and payment of the same fees as would be required under section 490.122 if the foreign cooperative corporation is a foreign corporation for profit seeking authority to transact business in Iowa this state under chapter 490. Upon the secretary of state being satisfied that the foreign corporation is so organized and has so complied, the secretary shall issue a certificate authorizing the foreign corporation to do business in Iowa.

2. Such a foreign corporation thus admitted shall be entitled to all remedies provided in this chapter, and to enforce all contracts theretofore or thereafter made by the foreign corporation which any association might make under this chapter.

3. If such a foreign corporation amends its articles of incorporation it shall forthwith file a copy of the amendment with the secretary of state, certified by the secretary or other proper official of the state under whose laws it is formed, and shall pay the fees prescribed for amendments by section 490.122.

4. Foreign corporations shall also file statements documents and pay fees otherwise prescribed by section 490.122.


Sec. 27. NEW SECTION. 501.105A Fees.

1. The secretary of state shall collect the following fees when the documents described in this subsection are delivered to the office of the secretary of state for filing:

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Articles of organization</td>
<td>$40</td>
</tr>
<tr>
<td>b. Articles of amendment</td>
<td>$40</td>
</tr>
<tr>
<td>c. Restated articles of organization</td>
<td>$40</td>
</tr>
</tbody>
</table>
d. Articles of merger ........................................ $ 40
2  e. Articles of consolidation ................................. $ 10
3  f. Articles of dissolution ..................................... $ 10
4  g. Revocation of dissolution .................................. $ 10
5  h. Application for reinstatement ............................ $ 10
6  i. Cooperative association's statement of
7 change of registered agent or registered office
8  j. Agent's statement of resignation ........................ $ 0
9  k. Biennial report .............................................. $ 10
10  l. Any other document required or permitted
11 to be filed by this chapter ................................. $ 10
12  2. The secretary of state shall collect five dollars per
13 document and one dollar per page for copying and certifying a
14 document.
15
16 Sec. 28.  NEW SECTION.  501.105B  Fees — deposit in general
17 fund and secretary of state's operating fund.
18  1.  a. On and after July 1, 2017, fifty percent of each
19 fee collected by the secretary of state pursuant to section
20 501.105A shall be deposited in the general fund and fifty
21 percent of that fee shall be deposited in the secretary of
22 state's operating fund created in section 9.9.
23  b. This subsection is repealed on June 30, 2021.
24  2. On and after July 1, 2021, one hundred percent of each
25 fee collected by the secretary of state pursuant to section
26 501.105 shall be deposited in the general fund.
27 Sec. 29.  Section 501.713, subsection 3, Code 2017, is
28 amended to read as follows:
29  3. The first biennial report shall be delivered to the
30 secretary of state between January 1 and April 1 of the first
31 even-numbered year following the calendar year in which a
32 cooperative was organized. Subsequent biennial reports must be
33 delivered to the secretary of state between January 1 and April
34 1 of the following even-numbered calendar years. A filing fee
35 for the biennial report shall be determined by the secretary of
Sec. 30. Section 501.811, subsection 1, Code 2017, is amended to read as follows:

1. The cooperative has not delivered a biennial report to the secretary of state in a form that meets the requirements of section 501.713, within sixty days after it is due, or has not paid the filing fee as determined by the secretary of state required in section 501.105A, within sixty days after it is due.

Sec. 31. Section 501A.205, Code 2017, is amended to read as follows:

501A.205 Fees.

1. The secretary shall collect the following fees when documents described in this subsection are delivered to the secretary's office of the secretary of state for filing:

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Articles of organization</td>
<td>$50</td>
</tr>
<tr>
<td>b. Application for use of indistinguishable name</td>
<td>$10</td>
</tr>
<tr>
<td>c. Application for reserved name</td>
<td>$10</td>
</tr>
<tr>
<td>d. Notice of transfer of reserved name</td>
<td>$20</td>
</tr>
<tr>
<td>e. Application for registered name per month or part thereof</td>
<td>$2</td>
</tr>
<tr>
<td>f. Application for renewal of registered name</td>
<td>$20</td>
</tr>
<tr>
<td>g. Resolution to adopt a fictitious name</td>
<td>$10</td>
</tr>
<tr>
<td>h. Statement of change of registered agent or registered office or both</td>
<td>$0</td>
</tr>
</tbody>
</table>
1  h.  Agent's statement of change of registered office for each affected cooperative ................. No fee
2
3  i.  Agent's statement of resignation ........ No fee
4
5  j.  Amendment of articles of organization........... $ 50
6
7  k.  Restatement of articles of organization
8 with amendment of articles............................ $ 50
9
10  l.  Articles of merger or consolidation ......... $ 50
11
12  m.  Articles of dissolution ........................ $ 5
13
14  n.  Articles Notice of revocation of dissolution ........................ $ 5
15
16  o.  Certificate of administrative dissolution................................. No fee
17
18  p.  Application for reinstatement following administrative dissolution ................. $ 5
19
20  q.  Certificate of reinstatement .................... No fee
21
22  r.  Certificate of Certified court judicial dissolution order .............................. No fee
23
24  s.  Application for certificate of authority... $100
25
26  t.  Application for amended certificate of authority ........................................ $100
27
28  u.  Application for certificate Certificate of cancellation
2. The secretary shall collect a fee of five ten dollars each time process is served on the secretary under this chapter. The party to a proceeding causing service of process is entitled to recover this fee as costs if the party prevails in the proceeding.

3. The secretary shall collect the following fees for copying and certifying the copy of any filed document relating to a domestic cooperative or foreign cooperative:

   a. One-dollar Two dollars a page for copying.

   b. Five Ten dollars for the certificate.

Sec. 32. NEW SECTION. 501A.205A Fees—deposit in the general fund and the secretary of state’s operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 501A.205 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state’s operating fund created in section 9.9.

   b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 501A.205 shall be deposited in the general fund.
Sec. 33. Section 501A.231, subsection 3, Code 2017, is amended to read as follows:

3. The first biennial report shall be delivered to the secretary of state between January 1 and April 1 of the first even-numbered year following the calendar year in which a cooperative is organized. Subsequent biennial reports shall be delivered to the secretary of state between January 1 and April 1 of the following even-numbered calendar years. A filing fee for the biennial report shall be determined by the secretary of state.

Sec. 34. NEW SECTION. 501B.11A Fees — deposit in general fund and secretary of state’s operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 501B.11, subsection 5, shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state’s operating fund created in section 9.9.

b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 501B.11, subsection 5, shall be deposited in the general fund.

Sec. 35. Section 504.113, Code 2017, is amended to read as follows:

504.113 Filing, service, and copying fees.

1. The secretary of state shall collect the following fees, as provided by the secretary of state, when the documents described in this subsection are delivered for filing:

<table>
<thead>
<tr>
<th>DOCUMENT</th>
<th>FEE</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Articles of incorporation</td>
<td>$25</td>
</tr>
<tr>
<td>b. Application for use of indistinguishable name</td>
<td>$50</td>
</tr>
<tr>
<td>c. Application for reserved reservation of name</td>
<td>$15</td>
</tr>
</tbody>
</table>
d. Notice of transfer of reserved
reservation of name.................. $ __

e. Application for registered name
per month or part of.................. $ __

f. Application for renewal of registered
name...................................... $ __

 g. Resolution to adopt fictitious name........ $ 10

 h. Corporation's statement of change
of registered agent or registered office or
both........................................ $ __

 i. Agent's statement of change of
registered office for each affected corporation
not to exceed a total of.................. $ __

 j. Agent's statement of resignation........ No fee

 k. Amendment of articles of
incorporation.......................... $ __

 l. Restatement of articles of incorporation
with amendments.......................... $ __

 m. Articles of merger..................... $ __

 n. Articles of dissolution................ $ __

 o. Articles of revocation of dissolution..... $ __

 p. Certificate of administrative
dissolution................................. $ __
1   $r \ g_\$. Application for reinstatement following
2 administrative dissolution................................ $ __
3
4 $r \ r_\$. Certificate of reinstatement............ No fee
5
6 $r \ s_\$. Certificate of Certified decree of
7 judicial dissolution.............................................. No fee
8
9 $r \ t_\$. Application for certificate of
10 authority.......................................................... $ __
11
12 $r \ u_\$. Application for amended certificate of
13 authority.......................................................... $ __
14
15 $r \ v_\$. Application for certificate of
16 withdrawal........................................................ $ __
17
18 $r \ w_\$. Certificate of revocation of authority
19 to transact business............................................ No fee
20
21 $w_\$. Biennial report.............................................. $ __
22 $x_\$. Articles of correction..................................... $ __
23
24 $y_\$. Application for certificate of existence or
25 authorization....................................................... $ __
26
27 $z_\$. Biennial report.............................................. $ 0
28 $r \ aa_\$. Any other document required or
29 permitted to be filed by this chapter............... $ __
30
31 2. The secretary of state shall collect a fee of ten dollars
32 upon being served with process under this chapter. The party
33 to a proceeding causing service of process is entitled to
34 recover the fee paid the secretary of state as costs if the
party prevails in the proceeding.

3. 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 corporation:
   a. Two dollars for copying.
   b. Ten dollars per page for the certificate.

Sec. 36. NEW SECTION. 504.113A Fees — deposit in general fund and secretary of state’s operating fund.

1. a. On and after July 1, 2017, fifty percent of each fee collected by the secretary of state pursuant to section 504.113 shall be deposited in the general fund and fifty percent of that fee shall be deposited in the secretary of state’s operating fund created in section 9.9.
   b. This subsection is repealed on June 30, 2021.

2. On and after July 1, 2021, one hundred percent of each fee collected by the secretary of state pursuant to section 504.113 shall be deposited in the general fund.

Sec. 37. SECRETARY OF STATE’S OPERATING FUND — REMAINING MONEYS AVAILABLE FOR CONTINUED USE. Notwithstanding provisions repealing the secretary of state’s operating fund as provided in section 9.9 as enacted in this Act, any unencumbered or unobligated moneys in the fund on June 30, 2021, shall remain available for continued use by the office of the secretary of state during the fiscal year beginning July 1, 2021, and ending June 30, 2022, for the exclusive purpose of operating the office and performing functions required or allowed by law as the secretary determines necessary or desirable.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation’s substance by the members of the general assembly.

GENERAL. This bill amends a number of provisions affecting a person who files a business document (which may also be referred to as a record) with the office of the secretary of state (office) and who may pay an associated filing fee to the office. The bill doubles existing fees and, until June 30,
2021, places 50 percent of those fees in the general fund and 50 percent of the fees in an operating fund established in the bill, which is controlled by the office. Moneys in the fund are appropriated to the office for the exclusive purpose of operating the office and performing functions required or allowed by law. The bill provides for the repeal of the Code provision establishing the operating fund on July 1, 2021. On and after that date, 100 percent of the fees are to be deposited in the general fund.

BACKGROUND. The Code regulates business entities operating on a profit, cooperative, or nonprofit basis. Each type of entity is governed by its own Code chapter but generally shares a number of the same requirements. The types of documents that entities file with the office include documents providing for the formation of the entity, including its business affairs, the rights and obligations of its equity holders, and its management; authorization for a foreign entity to transact affairs in this state; recording of facts regarding some extraordinary event in the entity's life such as a merger, consolidation, dissolution, or reinstatement; or amending a document which has been filed.