

House File 198 - Introduced

HOUSE FILE 198
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HSB 17)

A BILL FOR

1 An Act providing for an expedited filing service for filers of
2 business documents administered by the secretary of state, and
3 providing fees.

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

unofficial

1 Section 1. Section 9.15, Code 2025, is amended to read as
2 follows:

3 **9.15 Expedited filing service — surcharge.**

4 1. Upon the request of the filer of a document, the secretary
5 shall provide an expedited filing service. As part of the
6 service, the secretary shall file a document submitted by a filer
7 on an expedited basis.

8 2. The secretary shall implement, assess, and collect a
9 surcharge for providing the expedited filing service based on the
10 period of service as follows:

11 a. For a one-hour service, the surcharge shall be two hundred
12 fifty dollars.

13 b. For a same-day service, the surcharge shall be one hundred
14 seventy-five dollars.

15 c. For a two-day service, the surcharge shall be fifty
16 dollars.

17 ~~b.~~ d. For a five-day service, the surcharge shall be fifteen
18 dollars.

19 3. The surcharge shall be added to the amount of the fee
20 implemented, assessed, and collected for the actual filing of the
21 document.

22 4. At the time of the expedited filing, the secretary shall
23 provide written confirmation of the filing.

24 ~~4.~~ 5. Any moneys collected by the secretary under this
25 section shall be deposited in the business administration fund
26 created in section 9.13.

27 **EXPLANATION**

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

30 **BACKGROUND.** This bill amends a provision enacted in 2021 Iowa
31 Acts, chapter 165, section 253, which requires the secretary
32 of state (secretary) to establish and administer programs
33 providing extra services to filers of documents under a number
34 of Code sections regulating business entities. One such
35 provision (Code section 9.15) requires the secretary to offer a

1 service in which a business document is filed on an expedited
2 basis. This includes two additional surcharges for expedited
3 services: for a two-day service, an additional \$50, and for
4 a five-day service, an additional \$15. Moneys collected from
5 the surcharges are deposited in the business administration
6 fund (fund) created in the same Act (Code section 9.13).
7 Moneys in the fund are appropriated to the office of the
8 secretary for the exclusive purpose of administering business
9 organization statutes (Code Title XII). The specific business
10 entities include partnerships (Code section 486A.105A), limited
11 partnerships (Code section 488.206A), limited liability companies
12 (Code section 489.122A), for-profit corporations (Code section
13 490.120A), other corporations for pecuniary profit (Code section
14 491.5A), traditional modern cooperative associations (Code
15 section 499.44A), closed cooperatives (Code section 501.105A),
16 cooperatives organized under the Iowa cooperative associations
17 Act (Code section 501A.201A), and nonprofit corporations (Code
18 section 504.111A).

19 BILL'S PROVISIONS. The bill provides two additional
20 surcharges for such services: for a one-hour service, an
21 additional \$250, and for same-day service, an additional \$175.
22 At the time of the expedited filing, the secretary must provide a
23 written confirmation of an expedited filing.