

House File 759 - Introduced

HOUSE FILE 759
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 109)

A BILL FOR

1 An Act providing fees for the filing of a biennial report by
2 business entities with the secretary of state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 490.122, subsection 1, paragraph ad, Code
2 2025, is amended by striking the paragraph.

3 Sec. 2. Section 490.122, Code 2025, is amended by adding the
4 following new subsection:

5 NEW SUBSECTION. 4. The secretary of state may impose,
6 assess, and collect a filing fee as a condition to accepting a
7 biennial report as provided in section 490.1621.

8 Sec. 3. Section 490.1621, subsection 4, Code 2025, is amended
9 to read as follows:

10 4. The first biennial report ~~shall~~ must be delivered to
11 the secretary of state between January 1 and April 1 of the
12 first even-numbered year following the calendar year in which a
13 domestic corporation was incorporated or a foreign corporation
14 was registered to do business in this state. ~~Subsequent A~~
15 biennial ~~reports~~ report must be delivered to the secretary of
16 state between January 1 and April 1 of ~~the~~ each following
17 even-numbered calendar ~~years~~ year. ~~For purposes of this section,~~
18 ~~each~~ A filing fee for the biennial report shall be determined by
19 the secretary of state pursuant to section 490.122. The biennial
20 report shall contain information related to the two-year period
21 immediately preceding the calendar year in which the report is
22 filed.

23 EXPLANATION

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

26 GENERAL. A business entity organized by statute formed in
27 this state (domestic) or formed outside this state and doing or
28 transacting business in this state (foreign) must file a biennial
29 report with the secretary of state listing information regarding
30 the business entity. The business entity may be organized on
31 a profit basis such as a limited partnership (Code section
32 488.210), limited liability company (Code section 489.109), or
33 business corporation (Code section 490.1621); on a cooperative
34 basis such as an association, cooperative association, or a
35 cooperative (Code section 497.22, 498.24, 499.499, 501.713, or

1 501A.231); or as a nonprofit corporation (Code section 504.1613).
2 A business entity must file a biennial report on a two-year cycle
3 by April 1 of either an even-numbered year or odd-numbered year
4 depending on the type of business entity formed. Generally,
5 regardless of the form of the business entity filing a biennial
6 report, the business entity must provide common information,
7 including its name, whether it is domestic or foreign, the name
8 and address of its registered agent and registered office for
9 service of process, the address of its principal office, and any
10 alternative name that it may use.

11 BILL'S PROVISIONS — FILING FEE. Generally, the secretary
12 of state determines the amount of the filing fee required to
13 accompany a biennial report filed by a domestic or foreign
14 business entity. However, a business corporation, incorporated
15 in this state or registered to do business in this state must
16 pay a filing fee at a statutorily fixed rate of \$60 (Code section
17 490.122). This bill provides that for a business corporation,
18 the amount of the filing fee is also reserved for determination
19 by the secretary of state. The bill makes changes in the
20 language of the relevant statute to correspond to the language
21 in similar statutes governing other types of domestic or foreign
22 business entities.