

FEB 23 2005
COMMERCE, REGULATION & LABOR

HOUSE FILE 427
BY SWAIM

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the establishment of certain fees relating
2 to nonprofit corporations.

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

HF-427

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- 1 Section 1. Section 504.113, subsections 1 and 2, Code
2 2005, are amended by striking the subsections and inserting in
3 lieu thereof the following:
- 4 1. The secretary of state shall collect fees as
5 established by the secretary of state by rule, except where
6 this subsection provides for no fee, when the documents
7 described in this subsection are delivered for filing:
- 8 a. Articles of incorporation.
 - 9 b. Application for use of indistinguishable name.
 - 10 c. Application for reserved name.
 - 11 d. Notice of transfer of reserved name.
 - 12 e. Application for registered name.
 - 13 f. Application for renewal of registered name.
 - 14 g. Corporation's statement of change of registered agent
15 or registered office or both.
 - 16 h. Agent's statement of change of registered office for
17 each affected corporation.
 - 18 i. Agent's statement of resignation -- no fee.
 - 19 j. Amendment of articles of incorporation.
 - 20 k. Restatement of articles of incorporation with
21 amendments.
 - 22 l. Articles of merger.
 - 23 m. Articles of dissolution.
 - 24 n. Articles of revocation of dissolution.
 - 25 o. Certificate of administrative dissolution.
 - 26 p. Application for reinstatement following administrative
27 dissolution.
 - 28 q. Certificate of reinstatement -- no fee.
 - 29 r. Certificate of judicial dissolution -- no fee.
 - 30 s. Application for certificate of authority.
 - 31 t. Application for amended certificate of authority.
 - 32 u. Application for certificate of withdrawal.
 - 33 v. Certificate of revocation of authority to transact
34 business -- no fee.
 - 35 w. Biennial report.

1 x. Articles of correction.

2 y. Application for certificate of existence or
3 authorization.

4 z. Any other document required or permitted to be filed by
5 this chapter.

6 2. The secretary of state shall collect a fee upon being
7 served with process under this chapter. The party to a
8 proceeding causing service of process is entitled to recover
9 the fee paid to the secretary of state as costs if the party
10 prevails in the proceeding.

11 Sec. 2. Section 504.1613, subsection 4, paragraph b, Code
12 2005, is amended to read as follows:

13 b. A filing fee for the biennial report shall be
14 determined by the secretary of state by rule pursuant to
15 section 504.113.

16 EXPLANATION

17 This bill provides that fees for filing various documents
18 with the secretary of state pursuant to the revised nonprofit
19 corporation Act contained in Code chapter 504 shall be
20 established by the secretary of state by administrative rule.

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