

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1302 Session of
2003

INTRODUCED BY VEON AND DeWEESE, MAY 5, 2003

REFERRED TO COMMITTEE ON COMMERCE, MAY 5, 2003

AN ACT

1 Amending Title 15 (Corporations and Unincorporated Associations)
2 of the Pennsylvania Consolidated Statutes, further providing
3 for fee schedule and for disposition of funds.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Sections 153(a) and 155(a) of Title 15 of the
7 Pennsylvania Consolidated Statutes are amended to read:

8 § 153. Fee schedule.

9 (a) General rule.--The fees of the Corporation Bureau of the
10 department, including fees for the public acts and transactions
11 of the Secretary of the Commonwealth administered through the
12 bureau, shall be as follows:

13 (1) Domestic corporations:

14 (i) Articles of incorporation, letters
15 patent or like instrument incorporating a
16 corporation or association..... \$ [100] 125

17 (ii) Articles or agreement or like
18 instrument of merger, consolidation or

1	division.....	[52] <u>70</u>
2	(iii) Additional fee for each	
3	association which is a party to a merger or	
4	consolidation.....	[28] <u>40</u>
5	(iv) Additional fee for each new	
6	corporation resulting from a division.....	[100] <u>125</u>
7	(v) Articles of conversion or like	
8	instrument.....	[52] <u>70</u>
9	(vi) Each ancillary transaction.....	[52] <u>70</u>
10	(2) Foreign corporations:	
11	(i) Certificates of authority or like	
12	qualification to do business.....	[180] <u>250</u>
13	(ii) Amended certificate of authority	
14	or like change in qualification to do	
15	business.....	[180] <u>250</u>
16	(iii) Domestication.....	[100] <u>125</u>
17	(iv) Statement of merger or	
18	consolidation or like instrument reporting	
19	occurrence of merger or consolidation not	
20	effected by a filing in the department.....	[52] <u>70</u>
21	(v) Additional fee for each qualified	
22	foreign corporation which is named in a	
23	statement of merger or consolidation or	
24	like instrument.....	[28] <u>40</u>
25	(vi) Each ancillary transaction.....	[52] <u>70</u>
26	(3) Partnerships and limited liability	
27	companies:	
28	(i) Certificate of limited partnership	
29	or certificate of organization of a limited	
30	liability company or like instrument	

1	forming a limited partnership or organizing	
2	a limited liability company.....	[100] <u>125</u>
3	(ii) Certificate of merger or	
4	consolidation.....	[52] <u>70</u>
5	(iii) Additional fee for each	
6	association which is a party to the merger	
7	or consolidation.....	[28] <u>40</u>
8	(iv) Application for registration of	
9	foreign limited partnership or limited	
10	liability company.....	[180] <u>250</u>
11	(v) Certificate of amendment of	
12	registration of foreign limited partnership	
13	or limited liability company.....	[180] <u>250</u>
14	(vi) Statement of registration of	
15	registered limited liability partnership or	
16	statement of election as an electing	
17	partnership.....	[100] <u>125</u>
18	(vii) Domestication of foreign limited	
19	liability company.....	[100] <u>125</u>
20	(viii) Additional fee for each new	
21	entity resulting from a division.....	[100] <u>125</u>
22	(ix) Each ancillary transaction.....	[52] <u>70</u>
23	(4) Business trusts:	
24	(i) Deed of trust or other initial	
25	instrument for a business trust.....	[100] <u>125</u>
26	(ii) Each ancillary transaction.....	[52] <u>70</u>
27	(5) Fictitious names:	
28	(i) Registration.....	[52] <u>70</u>
29	(ii) Each ancillary transaction.....	[52] <u>70</u>
30	(6) Service of process:	

1	(i) Each defendant named or served....	[52] <u>70</u>
2	(7) Trademarks, emblems, union labels,	
3	description of bottles and like matters:	
4	(i) Trademark registration.....	[25] <u>50</u>
5	(ii) Each ancillary trademark	
6	transaction.....	[25] <u>50</u>
7	(iii) Any other registration under	
8	this paragraph.....	[52] <u>70</u>
9	(iv) Any other ancillary transaction	
10	under this paragraph.....	[52] <u>70</u>
11	(8) Uniform Commercial Code	
12	As provided in 13 Pa.C.S. § 9525 (relating	
13	to fees).	
14	(9) Copy fees (including copies furnished	
15	by filing officers under the Uniform Commercial	
16	Code):	
17	(i) Each page of photocopy furnished..	[2] <u>3</u>
18	(10) Certification fees:	
19	(i) For certifying copies of any	
20	document or paper on file, the fee	
21	specified in paragraph (9), if the	
22	department furnished the copy, plus.....	[28] <u>40</u>
23	(ii) For certifying a duplicate copy	
24	of a document pursuant to section 136(b)(2)	
25	(relating to immediate certified copy) or,	
26	if that certification cannot be made at the	
27	time of original examination, for the	
28	original examination and rejection by the	
29	bureau of a document submitted under that	
30	procedure, plus an additional fee for each	

1	reexamination or certification, as the case	
2	may be, by the bureau of a previously	
3	rejected document submitted under that	
4	procedure.....	[52] <u>70</u>
5	(iii) For issuing any other	
6	certificate of the Secretary of the	
7	Commonwealth or the Department of State	
8	(other than an engrossed certificate).....	[28] <u>40</u>
9	(11) Report of record search (other than	
10	search under paragraph (8)):	
11	(i) For preparing and providing a	
12	written or photocopy, or both, report of a	
13	record search, the fee specified in	
14	paragraph (9), if any, plus.....	[12] <u>15</u>
15	(12) Reservation and registration of	
16	names:	
17	(i) Reservation of association name...	[52] <u>70</u>
18	(ii) Registration of foreign or other	
19	corporation name.....	[52] <u>70</u>
20	(13) Change of registered office by agent:	
21	(i) Each statement of change of	
22	registered office by agent.....	[4] <u>5</u>
23	(14) Contingent domestication:	
24	(i) Statement of contingent	
25	domestication.....	[100] <u>125</u>
26	(ii) Each year, or portion thereof,	
27	during which a contingent domestication or	
28	temporary domiciliary status is in effect..	[1,200] <u>1,500</u>

29 * * *

30 § 155. Disposition of funds.

(a) Establishment of restricted account.--There is hereby established in the General Fund a restricted account to be known as the Corporation Bureau Restricted Account. This account shall receive 30% of the amount received by the department under this subchapter except for the fees collected under 13 Pa.C.S. § 9525(a)(1)(ii) (relating to fees). This account shall receive 5% of the amount received by the department under section 9525(a)(1)(ii). The balance of the amount received by the department under this subchapter shall be deposited in the General Fund. Funds in the Corporation Bureau Restricted Account shall be used solely for the operation of the Corporation Bureau in the Department of State and for its modernization as may be required for improved operations of the bureau[.] unless a surplus arises after two consecutive years, at which time the Secretary of State shall transfer any amount in excess of the bureau's budget into the General Fund. The Secretary of State shall transfer \$5,000,000 from the account to the General Fund in fiscal year 2003-2004.

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Section 2. This act shall take effect immediately.