

## Proposed Regulation Changes

Cal. Admin. Code tit. 2, § 21903. Special Handling Fees.

(a) Special Handling Services: Any Customer may submit one or more service requests or documents for processing with special handling service. Unless otherwise specified in this Section, special handling services apply only to service requests or documents submitted in person at the Secretary of State's Sacramento public counter, provided however, at the discretion of the Secretary of State, some special handling services may be made available at Secretary of State regional office public counters.

(b) Special handling service includes, but is not limited to, the following activities:

- (1) the review, filing and the preparation of certified copies of a document submitted for filing in priority to documents submitted by mail or without a special handling request;
- (2) responses to requests for certificates, certified copies of documents filed, and uncertified copies of documents filed in priority to requests submitted by mail or without a special handling request;
- (3) written or in-person requests concerning the status or name-availability of a corporation or other business entity;
- (4) except when prohibited by statute, relay of status or name availability information through the Secretary of State's telephone service.

***(c) The special handling fee shall be remitted at the time of submission.*** Fees for special handling services shall ***be in addition to any applicable filing fees, and*** shall be \$15 per service request or document ***submitted for processing, unless denoted below. ~~and shall be remitted at the time of submission~~ charged for the special handling services of documents when they are submitted for filing, whether they are filed or rejected:***

- (1) Merger filing - \$15 per transaction, regardless of the number of constituent corporations or other business entities;
- (2) Requests for certificates and for a certified or uncertified copy of a document for corporations or other business entities - \$10 per entity;
- (3) Name reservations - \$10 per certificate;
- (4) Notaries public certificates and certified and uncertified copy requests - \$6 per document;
- (5) UCC lien filings, certificates and copy requests - \$6 per document;
- (6) Trademark/service mark certified and uncertified copy requests - \$6 per mark;
- (7) Certificates of official character (authentication of a public official's signature) and certificates of incumbency - \$6 per certificate;
- (8) Facsimile transmission of information or copied documents - \$5 per business entity which is transmitted domestically, and \$10 per business entity transmitted internationally;
- (9) Phone, mail or counter status requests concerning corporations and other business entities - \$4 per request;
- (10) Name availability requests over the phone - \$4 per name.
- (11) Fees for copying records shall be \$1.00 for the first page and \$.50 for each page thereafter.***

(d) If a special handling fee is charged with respect to ~~the filing of~~ documents *submitted for processing* or the authentication of a public official's signature, a separate special handling fee shall not be charged for concurrent special handling for certificates, or *requests for* certified or uncertified copies as to the same debtor, corporation or other business entity, or for additional simultaneously submitted authentication requests for the same public official.

(e) There shall be no special handling fee for the ~~submission~~*filing for processing* of ~~annual~~ statements *of information and annual certificates* by corporations or limited liability companies, or for any filing which is exempt pursuant to Government Code section 6103.

(f) "Customer" is a customer of the Secretary of State and includes, but is not limited to, a principal, agent, messenger or attorney.

(g) "Other business entity" includes, but is not limited to, general partnership, limited partnership, limited liability partnership, limited liability limited partnership (foreign only), limited liability company, business trust, real estate investment trust or an unincorporated association.

Note: Authority cited: Section 12182, Government Code. Reference: Section 12182, Government Code.

***Cal. Admin. Code tit. 2, § 21903.5. Copy Fees.***

***(a) Fees for copying records shall be \$1.00 for the first page and \$.50 for each page thereafter and shall be in addition to applicable special handling fees.***

***(b) Notwithstanding subdivision (a), there shall be no fee for an uncertified copy of a filed record provided by the Secretary of State at the time of filing the record through the Secretary of State's web-based filing service.***

Note: Authority cited: Section 12182, Government Code. Reference: Section 12182, Government Code.