

SENATE BILL 792

C1, P1

0lr2586
CF 0lr2642

By: **Senator Garagiola**

Introduced and read first time: February 10, 2010

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Department of Assessments and Taxation – Processing Fees and Electronic**
3 **Document Filing and Processing System**

4 FOR the purpose of establishing certain fees that the State Department of
5 Assessments and Taxation must collect for processing certain business entity
6 documents within certain time periods; requiring the Department, contingent
7 on the availability of funds, to develop and implement a system, accessible on
8 the Department's website, for the electronic filing and processing of certain
9 documents; and generally relating to filing documents with the State
10 Department of Assessments and Taxation.

11 BY repealing and reenacting, without amendments,
12 Article – Corporations and Associations
13 Section 1–203(a) and (b)(1), (3)(i), and (4)
14 Annotated Code of Maryland
15 (2007 Replacement Volume and 2009 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – Corporations and Associations
18 Section 1–203(b)(8)
19 Annotated Code of Maryland
20 (2007 Replacement Volume and 2009 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Corporations and Associations**

24 1–203.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In addition to any organization and capitalization fee required under §
 2 1–204 of this subtitle, subject to subsection (c) of this section, the Department shall
 3 collect the fees specified in subsection (b) of this section.

4 (b) (1) Except as provided in paragraph (11) of this subsection, for each of
 5 the following documents, the nonrefundable processing fee is \$100:

6	Document	
7	Articles of incorporation	
8	Articles of amendment	
9	Articles of extension	
10	Articles of restatement of charter	
11	Articles of amendment and restatement	
12	Articles supplementary	
13	Articles of share exchange	
14	Articles of consolidation, merger, or transfer	
15	Articles of dissolution	
16	Articles of revival for stock corporation	
17	Articles of revival for nonstock corporation	

18 (3) (i) For each of the following documents which are filed but not
 19 recorded, the nonrefundable processing fee is as indicated:

20	Reservation of a corporate, limited partnership, limited liability	
21	partnership or limited liability company name.....	\$25
22	Original registration of name of a foreign corporation to end of calendar	
23	year.....	\$100
24	Renewal of registration of name of a foreign corporation for one calendar	
25	year.....	\$100
26	Documents in connection with the qualification of a foreign corporation to	
27	do intrastate business in this State.....	\$100
28	Application for registration of a foreign limited partnership, a foreign	
29	limited liability partnership, or a foreign limited liability company	\$100
30	Other documents	\$6

31 (4) For each of the following documents recorded or filed the
 32 nonrefundable processing fee is \$100:

33 (i) Certificate of limited partnership, certificate of limited
 34 liability partnership, articles of organization of a limited liability company, certificate
 35 of trust of a business trust, including certificates of amendment and certificates of
 36 cancellation, certificates of reinstatement, and articles of reinstatement; and

37 (ii) Any statement filed by a partnership under Title 9A of this
 38 article.

1 (8) (I) For processing each of the following documents on an
2 expedited basis, the additional fee is as indicated:

3	Recording any document, including financing statements.....	\$50
4	Certificate of status of a corporation, partnership, limited partnership,	
5	limited liability partnership, or limited liability company, or a	
6	name reservation.....	\$20
7	A copy of any document recorded or filed with the Department, or a	
8	corporate abstract.....	\$20
9	Application for a ground rent redemption or a ground rent	
10	extinguishment, or payment of a redemption or extinguishment	
11	amount to the former owner of the ground rent	\$50

12 (II) THE ADDITIONAL FEE FOR PROCESSING ANY
13 DOCUMENT LISTED IN: PARAGRAPH (1) OF THIS SUBSECTION; PARAGRAPH (3)(I)
14 OF THIS SUBSECTION (EXCEPT A “RESERVATION OF CORPORATE, LIMITED
15 PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR LIMITED LIABILITY
16 COMPANY NAME” OR “OTHER DOCUMENTS”); OR PARAGRAPH (4)(I) OF THIS
17 SUBSECTION:

18	WITHIN 24 HOURS AFTER RECEIPT OF A REQUEST FOR	
19	PROCESSING.....	\$150
20	WITHIN 48 HOURS AFTER RECEIPT OF A REQUEST FOR	
21	PROCESSING	\$100

22 SECTION 2. AND BE IT FURTHER ENACTED, That, contingent on the
23 availability of funds, the State Department of Assessments and Taxation shall develop
24 and implement a system, accessible on the Department’s website, for the electronic
25 filing and processing of documents authorized or required by law to be submitted to
26 the Department.

27 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 July 1, 2010.