

# HOUSE BILL 852

C1

2lr1993

---

By: **Delegates Saab, Beitzel, Boteler, Chisholm, Hornberger, Howard, Krebs, Parrott, Reilly, Rose, Szeliga, and Thiam**

Introduced and read first time: February 7, 2022

Assigned to: Economic Matters

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Corporations and Associations – Annual Reports – Filing Fees**

3 FOR the purpose of altering the filing fees paid by certain business entities to the State  
4 Department of Assessments and Taxation for certain annual reports filed  
5 electronically; eliminating the filing fee paid by certain business entities for certain  
6 annual reports; requiring the Department to waive the filing fee for an annual report  
7 filed by certain family farms; and generally relating to business entity filing fees.

8 BY repealing and reenacting, with amendments,  
9 Article – Corporations and Associations  
10 Section 1–201(c) and 1–203(b)(3)(ii) and (13)  
11 Annotated Code of Maryland  
12 (2014 Replacement Volume and 2021 Supplement)

13 BY adding to  
14 Article – Corporations and Associations  
15 Section 1–203(b)(3)(iii)  
16 Annotated Code of Maryland  
17 (2014 Replacement Volume and 2021 Supplement)

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

20 **Article – Corporations and Associations**

21 1–201.

22 (c) (1) The Department may accept documents that are filed for record by  
23 electronic transmission.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) [Documents] **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE,**  
2 **DOCUMENTS** filed for record by electronic transmission are subject to the regular filing  
3 fees and expedited processing fees provided in § 1–203 of this subtitle.

4 1–203.

5 (b) (3) (ii) Except as provided in **SUBPARAGRAPH (III) OF THIS**  
6 **PARAGRAPH AND** paragraph (13) of this subsection, for each of the following documents  
7 which are filed but not recorded, the filing fee is as indicated:

8 Annual report of a Maryland corporation, except a charitable or benevolent  
9 institution, nonstock corporation, savings and loan corporation, credit union, [family farm,]  
10 and banking institution.....\$300

11 Annual report of a foreign corporation subject to the jurisdiction of this State, except  
12 a national banking association, savings and loan association, credit union, nonstock  
13 corporation, and charitable and benevolent institution.....\$300

14 Annual report of a Maryland savings and loan association, banking institution, or  
15 credit union or of a foreign savings and loan association, national banking association, or  
16 credit union that is subject to the jurisdiction of this  
17 State.....\$300

18 [Annual report of a Maryland limited liability company, limited liability partnership,  
19 limited partnership, or of a foreign limited liability company, foreign limited liability  
20 partnership, or foreign limited partnership, except a family  
21 farm.....\$300]

22 Annual report of a business trust.....\$300

23 Annual report of a real estate investment trust or foreign statutory trust doing  
24 business in this State.....\$300

25 [Annual report of a family farm.....\$100]

26 **(III) FOR A BUSINESS ENTITY DESCRIBED UNDER**  
27 **SUBPARAGRAPH (II) OF THIS PARAGRAPH THAT FILES AN ANNUAL REPORT**  
28 **ELECTRONICALLY IN ACCORDANCE WITH PROCEDURES ESTABLISHED BY THE**  
29 **DEPARTMENT, THE FILING FEE IS \$150.**

30 (13) **(I)** Beginning in fiscal year 2022, the Department shall waive the  
31 filing fee for a business entity described under paragraph (3)(ii) of this subsection for each  
32 year that the entity provides evidence to the Department that:

33 **[(i)] 1.** The entity is required to comply with and is in compliance  
34 with Title 12 of the Labor and Employment Article; or

1                    [(ii)] 2.     The entity otherwise provides an employer–offered  
2 savings arrangement, as defined in § 12–101(e) of the Labor and Employment Article, that  
3 is in compliance with federal law.

4                    (ii)    THE DEPARTMENT SHALL WAIVE THE FILING FEE  
5 DESCRIBED UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION FOR AN ANNUAL  
6 REPORT FILED BY A FAMILY FARM AS DEFINED UNDER § 1–209 OF THIS SUBTITLE.

7                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
8 1, 2022, and shall be applicable to annual reports due on or after April 15, 2023.