

# SENATE BILL 12

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(PRE-FILED)

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By: **Senator Brooks**

Requested: November 18, 2022

Introduced and read first time: January 11, 2023

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Corporations and Associations – Annual Report Filing Fees – Electronic Filing**  
3 **Exemption**

4 FOR the purpose of requiring the State Department of Assessments and Taxation to waive  
5 the filing fees for annual reports filed electronically by certain business entities; and  
6 generally relating to business entity filing fees.

7 BY repealing and reenacting, with amendments,  
8 Article – Corporations and Associations  
9 Section 1–201(c) and 1–203(b)(2)(iv), (3)(ii), and (14)  
10 Annotated Code of Maryland  
11 (2014 Replacement Volume and 2022 Supplement)

12 BY repealing and reenacting, without amendments,  
13 Article – Corporations and Associations  
14 Section 1–203(a) and (b)(3)(i)  
15 Annotated Code of Maryland  
16 (2014 Replacement Volume and 2022 Supplement)

17 BY adding to  
18 Article – Corporations and Associations  
19 Section 1–203(b)(14)  
20 Annotated Code of Maryland  
21 (2014 Replacement Volume and 2022 Supplement)

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

24 **Article – Corporations and Associations**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1-201.

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

4 (2) [Documents] **EXCEPT AS PROVIDED IN § 1-203(B)(14) OF THIS**  
5 **SUBTITLE, DOCUMENTS** filed for record by electronic transmission are subject to the  
6 regular filing fees and expedited processing fees provided in § 1-203 of this subtitle.

7 1-203.

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

11 (b) (2) For each of the following documents, the nonrefundable processing fee  
12 is as indicated:

13 (iv) Except as provided in paragraph [(14)] **(15)** of this subsection,  
14 any other documents.....\$25

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

17 Reservation of a corporate, limited partnership, limited liability partnership or  
18 limited liability company name.....\$25

19 Original registration of name of a foreign corporation to end of calendar  
20 year.....\$100

21 Renewal of registration of name of a foreign corporation for 1 calendar  
22 year.....\$100

23 Documents in connection with the qualification of a foreign corporation to do  
24 intrastate business in this State.....\$100

25 Application for registration of a foreign limited partnership, a foreign limited  
26 liability partnership, or a foreign limited liability company.....\$100

27 Other documents.....\$6

28 (ii) Except as provided in [paragraph (13)] **PARAGRAPHS (13) AND**  
29 **(14)** of this subsection, for each of the following documents which are filed but not recorded,  
30 the filing fee is as indicated:

1 Annual report of a Maryland corporation, except a charitable or benevolent  
2 institution, nonstock corporation, savings and loan corporation, credit union, family farm,  
3 and banking institution.....\$300

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

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

10 Annual report of a Maryland limited liability company, limited liability partnership,  
11 limited partnership, or of a foreign limited liability company, foreign limited liability  
12 partnership, or foreign limited partnership, except a family farm.....\$300

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

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

16 Annual report of a family farm.....\$100

17 **(14) BEGINNING IN FISCAL YEAR 2024, THE DEPARTMENT SHALL**  
18 **WAIVE THE FILING FEE FOR A BUSINESS ENTITY DESCRIBED UNDER PARAGRAPH**  
19 **(3)(II) OF THIS SUBSECTION THAT:**

20 **(I) FILES AN ANNUAL REPORT ELECTRONICALLY; AND**

21 **(II) IS NOT A COVERED EMPLOYER AS DEFINED IN § 12-101(D)**  
22 **OF THE LABOR AND EMPLOYMENT ARTICLE.**

23 **[(14)] (15)** There is no processing fee for documents filed to dissolve, cancel,  
24 or terminate an entity under this subsection.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
26 1, 2023.