

ENROLLED ACT NO. 17, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2012 BUDGET SESSION

AN ACT relating to registered agents; providing for resignation of commercial registered agents; providing for continued responsibilities of resigned commercial registered agents; providing a timeline for renewal of commercial registered agent registration; providing for tiered late fees for renewal of commercial registered agent registration; and providing for an effective date.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 17-28-103(g) and 17-28-106(b) and (c) are amended to read:

17-28-103. Resignation of registered agent.

(g) Failure of a commercial registered agent to ~~register pursuant to W.S. 17-28-105~~ renew registration pursuant to W.S. 17-28-106 shall ~~not~~ constitute a resignation of the registered agent pursuant to this section and for purposes of administrative dissolution, revocation or forfeiture of the entities represented, but the registered agent shall remain responsible for all the requirements of this chapter with respect to each entity represented until a new registered agent is appointed, the registered agent has resigned in accordance with subsection (a) of this section or until the entity is administratively dissolved, revoked or its authority to transact business is forfeited.

17-28-106. Registration requirements.

(b) Every applicant for registration shall pay a filing fee as set by rule adopted pursuant to this chapter. The fee, other than the late filing fee provided in subsection (c) of this section, shall be designed to

ORIGINAL SENATE
FILE NO. 0004

ENROLLED ACT NO. 17, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
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recover the cost of administering the provisions of this chapter relating to registered agents. If an application is withdrawn or denied, the secretary of state shall retain the entire fee.

(c) Registration of a commercial registered agent shall be valid for the calendar year of registration and shall expire December 31 of each year ~~subject to the following:~~

(i) Renewal of registration shall be made by paying the annual registration fee by November 30 of each calendar year;

(ii) Any person acting as a commercial registered agent who renews the registration between December 1 and December 31 shall pay an additional late registration fee equal to the annual filing fee;

(iii) Any person who acts as a commercial registered agent after the expiration of his registration on December 31 of each year and willfully or by neglect fails to renew such registration as provided in this subsection shall be acting in violation of this act. Renewal of a commercial agent registration after December 31 shall be accompanied by a late renewal fee of five hundred dollars (\$500.00) plus an administrative fee which reflects the reasonable costs incurred by the secretary of state for notification of the entities, represented by the commercial registered agent, classified as delinquent awaiting administrative dissolution, revocation or forfeiture of its authority to transact business as provided in W.S. 17-28-103(f);

(iv) All fees shall be paid in full prior to any reregistration as a commercial registered agent.

ORIGINAL SENATE
FILE NO. 0004

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Section 2. This act is effective July 1, 2012.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk