

## HOUSE BILL NO. HB0148

Fees paid to secretary of state-amendments.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to fees paid through the office of the  
2 secretary of state; increasing fees as specified; requiring  
3 rulemaking; and providing for effective dates.

4

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

6

7       **Section 1.** W.S. 1-6-301(a) and (b), 9-1-305(a)(i),  
8 17-4-410(a), 17-14-209(a)(i), (ii) and by creating a new  
9 paragraph (v), 17-16-1630(a) and (f), 17-16-1720(e),  
10 17-19-122(a)(i), (iv), (v) and (vi), 17-19-1630(d),  
11 17-21-1101(n), 17-29-209(a), 17-29-210(a)(i), (ii) and by  
12 creating a new paragraph (v), 17-29-211 by creating a new  
13 subsection (o), 17-29-1011(e), 22-5-208(a)(i), (ii) and by  
14 creating a new paragraph (iii), 22-24-302, 22-24-402 and  
15 28-7-101(b)(intro) are amended to read:

16

1           **1-6-301. Secretary of state deemed attorney for**  
2 **service; continuance of action; costs; record of process;**  
3 **jurisdiction; direction of summons.**

4  
5           (a) The use and operation of a motor vehicle on any  
6 street or highway within Wyoming by any person upon whom  
7 service of process cannot be made within Wyoming either  
8 personally or by service upon a duly appointed resident  
9 agent is deemed an appointment of the secretary of state of  
10 Wyoming as the operator's lawful attorney upon whom may be  
11 served all legal processes in any proceeding against him,  
12 or his personal representative if he be deceased, due to  
13 damage or injury to person or property resulting from the  
14 operation of a motor vehicle on the streets or highways  
15 within this state. Such operation constitutes the  
16 operator's agreement that any process served in any action  
17 against him or his personal representative has the same  
18 legal force and validity as if served upon him or his  
19 personal representative personally within this state.  
20 Service shall be made by serving a copy of the process upon  
21 the secretary of state or by filing such copy in his  
22 office, together with payment of a fee of ~~three dollars~~  
23 ~~(\$3.00)~~ ten dollars (\$10.00). Within ten (10) days after

1 the date of service, notice of such service and a copy of  
2 the process shall be served upon the defendant or his  
3 personal representative either personally or by certified  
4 mail addressed to the last known address of the defendant  
5 or his personal representative. The plaintiff shall file  
6 with the clerk of the court in which the action is brought  
7 an affidavit that he has complied with such requirement.

8  
9 (b) The court in which the action is pending shall  
10 order such continuance as necessary to afford the defendant  
11 or his personal representative reasonable opportunity to  
12 defend the action. The fee of ~~three dollars (\$3.00)~~ ten  
13 dollars (\$10.00) paid by the plaintiff to the secretary of  
14 state at the time of service of process shall be taxed as  
15 costs in the suit.

16

17 **9-1-305. Fees; amounts; collection; exceptions.**

18

19 (a) The secretary of state shall collect the  
20 following fees in advance for:

21

1           (i) Except as provided in W.S. 32-1-114(c),  
2 certificate and seal, ~~three dollars (\$3.00)~~ ten dollars  
3 (\$10.00);

4  
5           **17-4-410. Filing fees.**

6  
7           (a) A person shall pay a fee of ~~two hundred dollars~~  
8 ~~(\$200.00)~~ two hundred fifty dollars (\$250.00) when  
9 initially filing an application for registration as a  
10 broker-dealer and a fee of ~~two hundred dollars (\$200.00)~~  
11 two hundred fifty dollars (\$250.00) when filing a renewal  
12 of registration as a broker-dealer. If the filing results  
13 in a denial or withdrawal, the secretary of state shall  
14 retain the entire fee.

15  
16           **17-14-209. Fees.**

17  
18           (a) The secretary of state shall charge and collect  
19 the following fees:

20  
21           (i) For filing a certificate of limited  
22 partnership, or for an application for a certificate of

1 continuance ~~or for registering a foreign limited~~  
2 ~~partnership,~~ a fee of one hundred dollars (\$100.00);

3

4 (ii) For filing a certificate of amendment or  
5 cancellation, or for filing a reservation of name, ~~fifty~~  
6 ~~dollars (\$50.00).~~ sixty dollars (\$60.00);

7

8 (v) For registering a foreign limited  
9 partnership, a fee of one hundred fifty dollars (\$150.00).

10

11 **17-16-1630. Filing of reports and payment of tax**  
12 **required; amount of tax; exemptions; records.**

13

14 (a) Every corporation organized under the laws of  
15 this state and every foreign corporation which obtains the  
16 right to transact and carry on business within this state  
17 (except banks, insurance companies and savings and loan  
18 associations) shall file with the secretary of state on or  
19 before the first day of the month of registration of every  
20 year a certification, under the penalty of perjury, by its  
21 treasurer or other fiscal agent setting forth its capital,  
22 property and assets located and employed in the state of  
23 Wyoming. The statement shall give the names and addresses

1 of its officers and directors and the address of its  
2 principal office. On or before the first day of the month  
3 of registration of every year the corporation shall pay to  
4 the secretary of state in addition to all other statutory  
5 taxes and fees a license tax based upon the sum of its  
6 capital, property and assets reported, of ~~fifty dollars~~  
7 ~~(\$50.00)~~ sixty dollars (\$60.00) or two-tenths of one mill  
8 on the dollar (\$.0002), whichever is greater.

9

10 (f) In addition to other fees provided under this  
11 section, each corporation shall pay one hundred dollars  
12 (\$100.00), except for foreign corporations which shall pay  
13 one hundred fifty dollars (\$150.00), to the secretary of  
14 state for initial incorporation or qualification to do  
15 business in Wyoming.

16

17 **17-16-1720. Transfer of a Wyoming corporation to**  
18 **another jurisdiction.**

19

20 (e) Every corporation organized, domesticated or  
21 continued under the laws of this state in order to receive  
22 a certificate of transfer pursuant to subsection (c) of  
23 this section shall pay to the secretary of state, in

1 addition to all other statutory taxes and fees, a special  
 2 toll charge of ~~fifty dollars (\$50.00)~~ sixty dollars  
 3 (\$60.00).

4

5 **17-19-122. Filing, service and copying fees.**

6

7 (a) The secretary of state shall collect the  
 8 following fees when the documents described in this  
 9 subsection are delivered for filing:

10

Document	Fee
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12

(i) Articles of Incorporation.....	<del>\$25.00</del> <u>\$50.00</u>
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14

(iv) Amendment of articles of incorporation.....	<del>\$ 3.00</del> <u>\$25.00</u>
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17

(v) Application for certificate of authority .....	<del>\$25.00</del> <u>\$50.00</u>
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20

(vi) Application for certificate of existence or authorization.....	<del>\$ 3.00</del> <u>\$20.00</u>
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23

1           **17-19-1630. Filing of reports.**

2

3           (d) A fee of ~~twenty-five dollars (\$25.00)~~ fifty  
4 dollars (\$50.00) shall be collected by the secretary of  
5 state upon initial incorporation or qualification and an  
6 annual franchise fee of twenty-five dollars (\$25.00) shall  
7 accompany the annual report.

8

9           **17-21-1101. Registered           limited           liability**  
10 **partnerships.**

11

12           (n) An initial registration fee of one hundred  
13 dollars (\$100.00) shall be paid to the secretary of state  
14 except for foreign limited liability partnerships which  
15 shall pay an initial registration fee of one hundred fifty  
16 dollars (\$150.00). In addition each registered limited  
17 liability partnership and foreign limited liability  
18 partnership shall annually comply with and pay the fees  
19 provided by W.S. 17-16-1630(a) through (e) and 17-16-120(j)  
20 as if it were a corporation. Any registered foreign limited  
21 liability partnership transacting business in this state  
22 without registering or annually maintaining its



1 registration is subject to the penalties provided by W.S.  
2 17-16-1502(d).

3

4 **17-29-209. Annual report for secretary of state.**

5

6 (a) Every limited liability company organized under  
7 the laws of this state and every foreign limited liability  
8 company which obtains a certificate of authority to  
9 transact and carry on business within this state shall file  
10 with the secretary of state on or before the first day of  
11 the month of organization of every year a certification,  
12 under the penalty of perjury, by its treasurer or other  
13 fiscal agent setting forth its capital, property and assets  
14 located and employed in the state of Wyoming. The  
15 statement shall give the address of its principal office.  
16 On or before the first day of the month of organization of  
17 every year the limited liability company or foreign limited  
18 liability company shall pay to the secretary of state in  
19 addition to all other statutory taxes and fees a license  
20 fee based upon the sum of its capital, property and assets  
21 reported, of ~~fifty dollars (\$50.00)~~ sixty dollars (\$60.00)  
22 or two-tenths of one mill on the dollar (\$.0002), whichever  
23 is greater.

1

2           **17-29-210. Fees; annual fee.**

3

4           (a) The secretary of state shall charge and collect  
5 fees from limited liability companies and foreign limited  
6 liability companies for:

7

8                   (i) Filing the original articles of organization  
9 ~~or issuing a certificate of authority for a foreign limited~~  
10 ~~liability company~~, one hundred dollars (\$100.00);

11

12                   (ii) For amending the articles of organization,  
13 a filing fee of ~~fifty dollars (\$50.00)~~ sixty dollars  
14 (\$60.00);

15

16                   (v) Issuing a certificate of authority for a  
17 foreign limited liability company, a filing fee of one  
18 hundred fifty dollars (\$150.00).

19

20           **17-29-211. Series of members, managers, transferable**  
21 **interests or assets.**

22

1       (o) The secretary of state shall charge and collect  
2 fees from limited liability companies and foreign limited  
3 liability companies establishing one (1) or more series in  
4 the amount of ten dollars (\$10.00) per series designated or  
5 established under this section.

6  
7       **17-29-1011. Transfer of a Wyoming limited liability**  
8 **company to another jurisdiction.**

9  
10       (e) Every limited liability company organized,  
11 domesticated or continued under the laws of this state in  
12 order to receive a certificate of transfer pursuant to  
13 subsection (c) of this section shall pay to the secretary  
14 of state, in addition to all other statutory taxes and  
15 fees, a special toll charge of ~~fifty dollars (\$50.00)~~ sixty  
16 dollars (\$60.00).

17  
18       **22-5-208. Filing fees; exception.**

19  
20       (a) Applications shall be accompanied by the  
21 following fees:

22

1           (i) ~~Twenty five dollars (\$25.00)~~ One hundred  
2 dollars (\$100.00) for the offices of state senator, state  
3 representative, district attorney and for the offices to be  
4 voted for by electors wholly within a county;

5  
6           (ii) ~~Two hundred dollars (\$200.00)~~ Three hundred  
7 dollars (\$300.00) for offices to be voted for by electors  
8 of the entire state except as provided in paragraph (iii)  
9 of this subsection.

10

11           (iii) Seven hundred fifty dollars (\$750.00) for  
12 any federal office voted for by electors of the entire  
13 state.

14

15           **22-24-302. Application; filing and fee.**

16

17 An initiative shall be proposed by filing an application  
18 with the secretary of state. A fee of ~~five hundred dollars~~  
19 ~~(\$500.00)~~ one thousand dollars (\$1,000.00) shall accompany  
20 the application. This fee shall be deposited in the general  
21 fund.

22

23           **22-24-402. Application; filing and fee.**

1

2 A referendum shall be proposed by filing an application  
3 with the secretary of state. A fee of ~~five hundred dollars~~  
4 ~~(\$500.00)~~ one thousand dollars (\$1,000.00) shall accompany  
5 the application. This fee shall be deposited in the general  
6 fund.

7

8 **28-7-101. Registration; reports.**

9

10 (b) Any person, who, on behalf of any association,  
11 corporation, labor union, public, nonprofit or private  
12 special interest group or any interest other than personal,  
13 is receiving or has a reasonable expectation of receiving  
14 expense reimbursement or compensation in excess of five  
15 hundred dollars (\$500.00) in a reporting period defined  
16 under W.S. 28-7-201(c), as a lobbyist shall, before, or  
17 within forty-eight (48) hours of, commencing lobbying  
18 activities during a reporting period as defined under W.S.  
19 28-7-201(c), register with the secretary of state. The  
20 secretary of state shall collect a registration fee of  
21 ~~twenty-five dollars (\$25.00)~~ seventy-five dollars (\$75.00)  
22 at time of registration, which shall be deposited with the  
23 state treasurer to be placed in the general fund. Any

1 person who is not receiving or has no reasonable  
2 expectation of receiving expense reimbursement or  
3 compensation in excess of five hundred dollars (\$500.00),  
4 or who shall receive no compensation beyond travel and per  
5 diem expenses for lobbying activities under this chapter  
6 shall pay a registration fee of ~~five dollars (\$5.00)~~ ten  
7 dollars (\$10.00) to the secretary of state at the time of  
8 registration. Registration shall state:

9

10 **Section 2.** The secretary of state shall promulgate  
11 any rules necessary to implement this act.

12

13 **Section 3.**

14

15 (a) Except as provided in subsection (b) of this  
16 section, this act is effective immediately upon completion  
17 of all acts necessary for a bill to become law as provided  
18 by Article 4, Section 8 of the Wyoming Constitution.

19

20 (b) Section 1 of this act is effective July 1, 2021.

21

22

(END)