

SB0867



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB0867

Introduced 2/7/2017, by Sen. Thomas Cullerton

SYNOPSIS AS INTRODUCED:

805 ILCS 180/50-10

Amends the Limited Liability Company Act. Reduces the fee collected by the Secretary of State for the filing of articles of organization, applications for admission, and restated articles of organization from \$500 to \$39 and reduces those fees in connection with a limited liability company with ability to establish series from \$750 to \$59. Effective immediately.

LRB100 08777 JLS 18916 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Limited Liability Company Act is amended by
5 changing Section 50-10 as follows:

6 (805 ILCS 180/50-10)

7 (Text of Section before amendment by P.A. 99-637)

8 Sec. 50-10. Fees.

9 (a) The Secretary of State shall charge and collect in
10 accordance with the provisions of this Act and rules
11 promulgated under its authority all of the following:

12 (1) Fees for filing documents.

13 (2) Miscellaneous charges.

14 (3) Fees for the sale of lists of filings and for
15 copies of any documents.

16 (b) The Secretary of State shall charge and collect for all
17 of the following:

18 (1) Filing articles of organization (domestic),
19 application for admission (foreign), and restated articles
20 of organization (domestic), \$39 ~~\$500~~. Notwithstanding the
21 foregoing, the fee for filing articles of organization
22 (domestic), application for admission (foreign), and
23 restated articles of organization (domestic) in connection

1 with a limited liability company with ability to establish
2 series pursuant to Section 37-40 of this Act is \$59 ~~\$750~~.

3 (2) Filing articles of amendment or an amended
4 application for admission, \$150.

5 (3) Filing articles of dissolution or application for
6 withdrawal, \$100.

7 (4) Filing an application to reserve a name, \$300.

8 (5) Filing a notice of cancellation of a reserved name,
9 \$100.

10 (6) Filing a notice of a transfer of a reserved name,
11 \$100.

12 (7) Registration of a name, \$300.

13 (8) Renewal of registration of a name, \$100.

14 (9) Filing an application for use of an assumed name
15 under Section 1-20 of this Act, \$150 for each year or part
16 thereof ending in 0 or 5, \$120 for each year or part
17 thereof ending in 1 or 6, \$90 for each year or part thereof
18 ending in 2 or 7, \$60 for each year or part thereof ending
19 in 3 or 8, \$30 for each year or part thereof ending in 4 or
20 9, and a renewal for each assumed name, \$150.

21 (10) Filing an application for change or cancellation
22 of an assumed name, \$100.

23 (11) Filing an annual report of a limited liability
24 company or foreign limited liability company, \$250, if
25 filed as required by this Act, plus a penalty if
26 delinquent. Notwithstanding the foregoing, the fee for

1 filing an annual report of a limited liability company or
2 foreign limited liability company with ability to
3 establish series is \$250 plus \$50 for each series for which
4 a certificate of designation has been filed pursuant to
5 Section 37-40 of this Act and active on the last day of the
6 third month preceding the company's anniversary month,
7 plus a penalty if delinquent.

8 (12) Filing an application for reinstatement of a
9 limited liability company or foreign limited liability
10 company \$500.

11 (13) Filing Articles of Merger, \$100 plus \$50 for each
12 party to the merger in excess of the first 2 parties.

13 (14) Filing an Agreement of Conversion or Statement of
14 Conversion, \$100.

15 (15) Filing a statement of change of address of
16 registered office or change of registered agent, or both,
17 or filing a statement of correction, \$25.

18 (16) Filing a petition for refund, \$15.

19 (17) Filing any other document, \$100.

20 (18) Filing a certificate of designation of a limited
21 liability company with the ability to establish series
22 pursuant to Section 37-40 of this Act, \$50.

23 (c) The Secretary of State shall charge and collect all of
24 the following:

25 (1) For furnishing a copy or certified copy of any
26 document, instrument, or paper relating to a limited

1 liability company or foreign limited liability company, or
2 for a certificate, \$25.

3 (2) For the transfer of information by computer process
4 media to any purchaser, fees established by rule.

5 (Source: P.A. 97-839, eff. 7-20-12.)

6 (Text of Section after amendment by P.A. 99-637)

7 Sec. 50-10. Fees.

8 (a) The Secretary of State shall charge and collect in
9 accordance with the provisions of this Act and rules
10 promulgated under its authority all of the following:

11 (1) Fees for filing documents.

12 (2) Miscellaneous charges.

13 (3) Fees for the sale of lists of filings and for
14 copies of any documents.

15 (b) The Secretary of State shall charge and collect for all
16 of the following:

17 (1) Filing articles of organization (domestic),
18 application for admission (foreign), and restated articles
19 of organization (domestic), \$39 ~~\$500~~. Notwithstanding the
20 foregoing, the fee for filing articles of organization
21 (domestic), application for admission (foreign), and
22 restated articles of organization (domestic) in connection
23 with a limited liability company with a series or the
24 ability to establish a series pursuant to Section 37-40 of
25 this Act is \$59 ~~\$750~~.

- 1 (2) Filing amendments (domestic or foreign), \$150.
- 2 (3) Filing a statement of termination or application
3 for withdrawal, \$25.
- 4 (4) Filing an application to reserve a name, \$300.
- 5 (5) Filing a notice of cancellation of a reserved name,
6 \$100.
- 7 (6) Filing a notice of a transfer of a reserved name,
8 \$100.
- 9 (7) Registration of a name, \$300.
- 10 (8) Renewal of registration of a name, \$100.
- 11 (9) Filing an application for use of an assumed name
12 under Section 1-20 of this Act, \$150 for each year or part
13 thereof ending in 0 or 5, \$120 for each year or part
14 thereof ending in 1 or 6, \$90 for each year or part thereof
15 ending in 2 or 7, \$60 for each year or part thereof ending
16 in 3 or 8, \$30 for each year or part thereof ending in 4 or
17 9, and a renewal for each assumed name, \$150.
- 18 (10) Filing an application for change or cancellation
19 of an assumed name, \$100.
- 20 (11) Filing an annual report of a limited liability
21 company or foreign limited liability company, \$250, if
22 filed as required by this Act, plus a penalty if
23 delinquent. Notwithstanding the foregoing, the fee for
24 filing an annual report of a limited liability company or
25 foreign limited liability company is \$250 plus \$50 for each
26 series for which a certificate of designation has been

1 filed pursuant to Section 37-40 of this Act and is in
2 effect on the last day of the third month preceding the
3 company's anniversary month, plus a penalty if delinquent.

4 (12) Filing an application for reinstatement of a
5 limited liability company or foreign limited liability
6 company \$500.

7 (13) Filing articles of merger, \$100 plus \$50 for each
8 party to the merger in excess of the first 2 parties.

9 (14) Filing articles of conversion, \$100.

10 (15) Filing a statement of change of address of
11 registered office or change of registered agent, or both,
12 or filing a statement of correction, \$25.

13 (16) Filing a petition for refund, \$15.

14 (17) Filing a certificate of designation of a limited
15 liability company with a series pursuant to Section 37-40
16 of this Act, \$50.

17 (18) Filing articles of domestication, \$100.

18 (19) Filing, amending, or cancelling a statement of
19 authority, \$50.

20 (20) Filing, amending, or cancelling a statement of
21 denial, \$10.

22 (21) Filing any other document, \$100.

23 (c) The Secretary of State shall charge and collect all of
24 the following:

25 (1) For furnishing a copy or certified copy of any
26 document, instrument, or paper relating to a limited

1 liability company or foreign limited liability company, or
2 for a certificate, \$25.

3 (2) For the transfer of information by computer process
4 media to any purchaser, fees established by rule.

5 (Source: P.A. 99-637, eff. 7-1-17.)

6 Section 95. No acceleration or delay. Where this Act makes
7 changes in a statute that is represented in this Act by text
8 that is not yet or no longer in effect (for example, a Section
9 represented by multiple versions), the use of that text does
10 not accelerate or delay the taking effect of (i) the changes
11 made by this Act or (ii) provisions derived from any other
12 Public Act.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.