

# HB0356



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0356

by Rep. David McSweeney

### 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 04327 KTG 14333 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.