

HB0387



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0387

by Rep. Carol Sente

SYNOPSIS AS INTRODUCED:

805 ILCS 180/50-10

Amends the Limited Liability Company Act. Reduces some fees in the fee schedule for limited liability companies filing documents with the Secretary of State to match the fees for similar documents in the fee schedule for corporations. Effective immediately.

LRB100 04764 KTG 14771 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), \$150 ~~\$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 \$400 ~~\$750~~.

3 (2) Filing articles of amendment or an amended
4 application for admission, \$50 ~~\$150~~.

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

7 (4) Filing an application to reserve a name, \$25 ~~\$300~~.

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

10 (6) Filing a notice of a transfer of a reserved name,
11 \$25 ~~\$100~~.

12 (7) Registration of a name, \$50 ~~\$300~~.

13 (8) Renewal of registration of a name, \$50 ~~\$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 (9.5) Filing an application for change of an assumed
22 name, \$25.

23 (10) Filing an application for ~~change or~~ cancellation
24 of an assumed name, \$5 ~~\$100~~.

25 (11) Filing an annual report of a limited liability
26 company or foreign limited liability company, \$75 ~~\$250~~, if

1 filed as required by this Act, plus a penalty if
2 delinquent. Notwithstanding the foregoing, the fee for
3 filing an annual report of a limited liability company or
4 foreign limited liability company with ability to
5 establish series is \$75 ~~\$250~~ plus \$50 for each series for
6 which a certificate of designation has been filed pursuant
7 to Section 37-40 of this Act and active on the last day of
8 the third month preceding the company's anniversary month,
9 plus a penalty if delinquent.

10 (12) Filing an application for reinstatement of a
11 limited liability company or foreign limited liability
12 company \$200 ~~\$500~~.

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

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

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

20 (16) Filing a petition for refund, \$5 ~~\$15~~.

21 (17) Filing any other document, \$5 ~~\$100~~.

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

25 (c) The Secretary of State shall charge and collect all of
26 the following:

1 (1) For furnishing a copy or certified copy of any
2 document, instrument, or paper relating to a limited
3 liability company or foreign limited liability company, or
4 for a certificate, \$25.

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

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

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

9 Sec. 50-10. Fees.

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

13 (1) Fees for filing documents.

14 (2) Miscellaneous charges.

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

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

19 (1) Filing articles of organization (domestic),
20 application for admission (foreign), and restated articles
21 of organization (domestic), \$150 ~~\$500~~. Notwithstanding the
22 foregoing, the fee for filing articles of organization
23 (domestic), application for admission (foreign), and
24 restated articles of organization (domestic) in connection
25 with a limited liability company with a series or the

1 ability to establish a series pursuant to Section 37-40 of
2 this Act is \$400 ~~\$750~~.

3 (2) Filing amendments (domestic or foreign), \$50 ~~\$150~~.

4 (3) Filing a statement of termination or application
5 for withdrawal, \$5 ~~\$25~~.

6 (4) Filing an application to reserve a name, \$25 ~~\$300~~.

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

9 (6) Filing a notice of a transfer of a reserved name,
10 \$25 ~~\$100~~.

11 (7) Registration of a name, \$50 ~~\$300~~.

12 (8) Renewal of registration of a name, \$50 ~~\$100~~.

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

20 (9.5) Filing an application for change of an assumed
21 name, \$25.

22 (10) Filing an application for ~~change or~~ cancellation
23 of an assumed name, \$5 ~~\$100~~.

24 (11) Filing an annual report of a limited liability
25 company or foreign limited liability company, \$75 ~~\$250~~, if
26 filed as required by this Act, plus a penalty if

1 delinquent. Notwithstanding the foregoing, the fee for
2 filing an annual report of a limited liability company or
3 foreign limited liability company is \$75 ~~\$250~~ plus \$50 for
4 each series for which a certificate of designation has been
5 filed pursuant to Section 37-40 of this Act and is in
6 effect on the last day of the third month preceding the
7 company's anniversary month, plus a penalty if delinquent.

8 (12) Filing an application for reinstatement of a
9 limited liability company or foreign limited liability
10 company \$200 ~~\$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 articles of conversion, \$100.

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

17 (16) Filing a petition for refund, \$5 ~~\$15~~.

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

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

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

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

26 (21) Filing any other document, \$5 ~~\$100~~.

1 (c) The Secretary of State shall charge and collect all of
2 the following:

3 (1) For furnishing a copy or certified copy of any
4 document, instrument, or paper relating to a limited
5 liability company or foreign limited liability company, or
6 for a certificate, \$25.

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

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

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

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.