



General Assembly

February Session, 2024

Raised Bill No. 5301

LCO No. 1838



Referred to Committee on FINANCE, REVENUE AND BONDING

Introduced by:
(FIN)

AN ACT CONCERNING THE SECRETARY OF THE STATE'S RECOMMENDATIONS FOR THE REDUCTION OR ELIMINATION OF CERTAIN FEES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 3-99a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2024*):

3 (a) Except as provided in subsection (b) of this section, the Secretary
4 of the State shall receive, for filing or recording any document,
5 instrument or paper required to be filed or recorded regardless of the
6 number of pages, when fees are not otherwise specially provided for,
7 fifty dollars. The Secretary shall receive, for preparing and furnishing a
8 copy of any document, instrument or paper filed or recorded: For each
9 copy of each such document, regardless of the number of pages, forty
10 dollars, for affixing the Secretary's certificate and the state seal thereto,
11 fifteen dollars; for the Secretary's certificate with the state seal imprinted
12 or affixed, fifty dollars; for a certificate, with the seal of the state
13 imprinted or affixed thereon, of any fact or record for which no special
14 provision is made, fifty dollars; [for certifying the incumbency of a judge

15 of probate, notary public or other official, forty dollars, except that for
16 certifying the incumbency of an official in connection with an adoption
17 of a child, such fee shall be fifteen dollars] and for issuing a document
18 authentication or an apostille, five dollars.

19 (b) No fee shall be charged for filing any document required to be
20 filed pursuant to the provisions of titles 4, 7 and 9, and the fee for
21 furnishing copies of such documents shall be such as will, in the
22 judgment of said Secretary, cover the costs of such copies, except that
23 the fee for furnishing copies of documents filed pursuant to title 9 shall
24 not exceed twenty-five cents per page. No fee shall be charged for filing
25 resolutions relating to payment from the Treasury and statements of
26 receipts and expenditures of judges of probate.

27 (c) No fee shall be charged for any copy required by any state officer,
28 department, board or commission, the fee for which would be payable
29 from the State Treasury. For other services for which fees are not
30 provided by the general statutes, the Secretary may charge such fees as
31 will in [his] the Secretary's judgment cover the cost of the services
32 provided. The tax imposed under chapter 219 shall not be imposed upon
33 any transaction for which a fee may be charged under the provisions of
34 this section. Overpayments made to the Records and Legislative
35 Services Division or to the Commercial Recording Division of the office
36 of the Secretary of the State, whether for documents or for fees, in an
37 amount not to exceed five dollars shall not be refunded but shall be
38 placed in the General Fund. No overpayment claim shall be presented
39 under this section but within one year after it accrues.

40 (d) In the performance of their functions, the Commercial Recording
41 Division and the Records and Legislative Services Division of the office
42 of the Secretary of the State may, in the discretion of the Secretary,
43 provide expedited services. The Secretary shall provide for the
44 establishment and administration of a system of payment for such
45 expedited services and may include in such system prepaid deposit
46 accounts. The Secretary shall charge, in addition to the filing fees
47 provided for by law, the sum of fifty dollars for each expedited service

48 provided, except that for an expedited document of authentication or an
49 expedited apostille, the Secretary shall charge ten dollars. The filing fee
50 and the expediting fee shall be paid by the person requesting the
51 information and documents, in such manner as required by the
52 Secretary. The Secretary may promulgate rules and regulations
53 necessary to establish guidelines for the use of expedited services and
54 shall establish fees, in addition to the expediting fee, for expedited
55 electronic data processing services [which] that cover the cost of such
56 services.

57 (e) The Secretary [of the State] may accept the filing of documents by
58 telecopier or other electronic media and employ new technology, as it is
59 developed, to aid in the performance of all duties required by the law.
60 The Secretary [of the State] may establish rules, fee schedules and
61 regulations, not inconsistent with the law, for filing documents by
62 telecopier or other electronic media, for the adoption, employment and
63 use of new technology in the performance of the duties of the office and
64 for providing electronic access and other related products or services
65 that result from the employment of such new technology.

66 (f) The Secretary [of the State] may require that a unique
67 identification number be provided on documents or requests processed
68 by the office.

69 (g) The Secretary [of the State] may allow remittances to be in the
70 form of a credit card account number and an authorization to draw
71 upon a specified credit card account, at such time and under such
72 conditions as the Secretary may prescribe. Remittances in the form of an
73 authorization to draw upon a specified credit card account shall include
74 an amount for purposes of paying the discount rate associated with
75 drawing upon the credit card account, unless the remittances are drawn
76 on an account with a financial institution that agrees to add the number
77 to the credit card holder's billing, in which event the remittances drawn
78 shall not include an amount for purposes of paying the discount rate
79 associated with the drawing upon the credit card account.

80 Sec. 2. Subsection (a) of section 34-243u of the general statutes is
81 repealed and the following is substituted in lieu thereof (*Effective July 1,*
82 *2024*):

83 (a) Fees for filing documents and issuing certificates: (1) Filing an
84 application to reserve a limited liability company name or to cancel a
85 reserved limited liability company name, sixty dollars; (2) filing a
86 transfer of reserved limited liability company name, sixty dollars; (3)
87 filing a certificate of organization, including appointment of registered
88 agent, one hundred twenty dollars; (4) filing a change of address of
89 agent certificate or change of agent certificate, fifty dollars; (5) filing a
90 notice of resignation of registered agent, fifty dollars; (6) filing an
91 amendment to certificate of organization, one hundred twenty dollars;
92 (7) filing a restated certificate of organization, one hundred twenty
93 dollars; (8) filing a certificate of merger, sixty dollars; (9) filing a
94 certificate of interest exchange, sixty dollars; (10) filing a certificate of
95 abandonment, fifty dollars; (11) filing a certificate of reinstatement, one
96 hundred twenty dollars; (12) filing a foreign registration certificate by a
97 foreign limited liability company to transact business in this state, one
98 hundred twenty dollars; (13) filing an application of foreign limited
99 liability company for amended foreign registration certificate, one
100 hundred twenty dollars; (14) [filing a certificate of withdrawal of
101 registration under section 34-275h, one hundred twenty dollars; (15)]
102 filing an annual report, (A) concerning any year prior to July 1, 2020,
103 twenty dollars, and (B) concerning any year on or after July 1, 2020,
104 eighty dollars; [(16)] (15) filing an interim notice of change of manager
105 or member, twenty dollars; [(17)] (16) filing a registration of name or a
106 renewal of registration of name, sixty dollars; [(18)] (17) filing a
107 statement of correction, one hundred dollars; and [(19)] (18) filing a
108 transfer of registration, sixty dollars plus the qualification fee.

109 Sec. 3. Subsection (a) of section 3-94o of the general statutes is
110 repealed and the following is substituted in lieu thereof (*Effective July 1,*
111 *2024*):

112 (a) [Within] Not later than thirty days after a change in the name of a

113 notary public, the notary shall file a notice of the change with the
114 Secretary, on a form prescribed and provided by the Secretary. The
115 notice shall state the notary's old and new names and the effective date
116 of the new name, include such proof of the change of name as the
117 Secretary shall require [.] and be signed by the notary. [and be
118 accompanied by a nonrefundable fee of fifteen dollars.] The notary shall,
119 [within] not later than thirty days after the issuance of a replacement
120 certificate of appointment by the Secretary, record such certificate with
121 the town clerk of the municipality wherein the notary recorded the
122 notary's original certificate of appointment and oath of office. The
123 failure of a notary to so record such replacement certificate shall not
124 invalidate any notarial act performed by the notary. Any town clerk
125 who is required by statute to make a record of the certificate of
126 appointment and oath of office of a notary shall record the replacement
127 certificate of appointment containing the change of name of the notary
128 upon payment of a fee of fifteen dollars by such notary to the town clerk.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<u>July 1, 2024</u>	3-99a
Sec. 2	<u>July 1, 2024</u>	34-243u(a)
Sec. 3	<u>July 1, 2024</u>	3-94o(a)

Statement of Purpose:

To (1) reduce the fee charged by the Secretary of the State for issuing documents of authentication and apostilles, and (2) eliminating the fees for filing a foreign limited liability company certificate of withdrawal and for reissuance of notary commission certificates.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]