

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1885 Session of 2023

INTRODUCED BY McANDREW, GIRAL, SANCHEZ, McNEILL, PISCIOTTANO, BRENNAN, M. JONES, ECKER, JOZWIAK, KEEFER, BURGOS, KAZEEM, DONAHUE, HADDOCK, CIRESI, HILL-EVANS, WARREN, GUZMAN AND SALISBURY, DECEMBER 8, 2023

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, DECEMBER 13, 2023

AN ACT

1 Amending Title 15 (Corporations and Unincorporated Associations)
2 of the Pennsylvania Consolidated Statutes, in general
3 provisions relating to corporation bureau and UCC fees,
4 further providing for fee schedule; in incorporation,
5 providing for exemption from certain fees; and imposing
6 penalties.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 153(a) (1) of Title 15 of the Pennsylvania
10 Consolidated Statutes is amended to read:

11 § 153. Fee schedule.

12 (a) General rule.--The nonrefundable fees of the bureau,
13 including fees for the public acts and transactions of the
14 Secretary of the Commonwealth administered through the bureau,
15 shall be as follows:

16 (1) Domestic corporations, except as provided in
17 section 5332 (relating to exemption from certain fees):

18 (i) Articles of incorporation, letters patent

1 or similar instruments incorporating a corporation. \$125

2 (ii) Each ancillary transaction..... 70

3 * * *

4 Section 2. Title 15 is amended by adding a section to read:

5 § 5332. Exemption from certain fees.

6 (a) Payment.--A volunteer fire company filing articles of
7 incorporation under this chapter shall be exempt from the
8 payment of the fee established under section 153(a)(1)(i)
9 (relating to fee schedule).

10 ~~(b) Proof. The department shall promulgate regulations to~~ <--
11 ~~ensure the valid status of a corporation filing as a volunteer~~
12 ~~fire company and shall make a determination on a fee exemption~~
13 ~~based on the regulations.~~

14 ~~(c) (B) Offenses.--~~ <--

15 (1) If a person fraudulently obtains a fee exemption
16 permitted under this section, the person commits a
17 misdemeanor of the third degree.

18 (2) If a person assigns, transfers or attempts to assign
19 or transfer a fee exemption or uses or attempts to use a fee
20 exemption contrary to this section, the person commits a
21 misdemeanor of the third degree.

22 ~~(d) (C) Reporting.--~~ <--

23 (1) The department shall annually determine the total
24 number of fee exemptions applied for and issued and the total
25 dollar amount of the fee exemptions under this section.

26 (2) The department shall issue an annual report
27 containing the information under paragraph (1).

28 (3) Each report under paragraph (2) shall be
29 transmitted, electronically or otherwise, to:

30 (i) The chairperson and minority chairperson of the

1 Veterans Affairs and Emergency Preparedness Committee of
2 the Senate.

3 (ii) The chairperson and minority chairperson of the
4 Veterans Affairs and Emergency Preparedness Committee of
5 the House of Representatives.

6 ~~(e)~~ (D) Definitions.--As used in this section, the following <--
7 words and phrases shall have the meanings given to them in this
8 subsection unless the context clearly indicates otherwise:

9 "Volunteer fire company." As defined in 35 Pa.C.S. § 7802
10 (relating to definitions).

11 Section 3. This act shall take effect in 60 days.