

**2001 DRAFTING REQUEST**

**Bill**

Received: 10/24/2001

Received By: **rmarchan**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **julie**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Bus. Assn. - corporations**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.state.wi.us**

Carbon copy (CC:) to: **julie.laundrie@legis.state.wi.us**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Corporate filing fees

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**Instructions:**

Delete changes regarding corporate filing fees, which were included in the budget.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	rmarchan 10/31/2001	hhagen 11/06/2001	pgreensl 10/31/2001	_____	lrb_docadmin 11/07/2001	lrb_docadminState 11/12/2001	
	rmarchan 11/01/2001	hhagen 12/10/2001	pgreensl 11/07/2001	_____			
	rmarchan 12/06/2001			_____			

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

/2

jfrantze \_\_\_\_\_  
12/10/2001 \_\_\_\_\_

lrb\_docadmin  
12/10/2001

lrb\_docadminState  
12/10/2001

FE Sent For:

LA intro

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	rmarchan 11/01/2001		pgreensl 11/07/2001	_____			

FE Sent For: *12hmk 12/10/01* *Jb 12/10* *Jb pg 10/12*

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By/Representing: **julie**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

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Subject: **Bus. Assn. - corporations**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.state.wi.us** ✓

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/1	rmarchan 10/31/2001	hhagen 11/06/2001	pgreensl 10/31/2001	_____	lrb_docadmin 11/07/2001		State
	rmarchan 11/01/2001		pgreensl 11/07/2001	_____			

FE Sent For:

**2001 DRAFTING REQUEST**

**Bill**

Received: 10/24/2001

Received By: **rmarchan**

Wanted: **As time permits**

Identical to I.R.R.:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **julie**

This file may be shown to any legislator: **NO**

Drafter: **rmarchan**

May Contact:

Addl. Drafters:

Subject: **Bus. Assn. - corporations**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Erpenbach@legis.state.wi.us**

Carbon copy (CC:) to: **julie.laundrie@legis.state.wi.us**

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No specific pre topic given

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/1	rmarchan 10/31/2001 rmarchan	11 kmh 11/6/01	pgreensl 10/31/2001 11/7 PS	11/7 self			State

FE Sent For:

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erty to the claimant or pay the claimant the amount the administrator actually received or the net proceeds of the sale of the property, together with any additional amount required under s. 177.21. If the claim is for property presumed abandoned under s. 177.10 which was sold by the administrator within 3 years after the date of delivery, the amount payable for that claim is the value of the property at the time the claim was made or the net proceeds of sale, whichever is greater. If the property claimed was interest bearing to the owner on the date of surrender by the holder, the administrator shall pay interest at a rate of 6% per year or any lesser rate the property earned while in the possession of the holder. Interest begins to accrue when the property is delivered to the administrator and ceases on the earlier of the expiration of 10 years after delivery or the date on which payment is made to the owner. No interest on interest-bearing property is payable for any period before December 31, 1984.

SECTION 2906. 177.24 (3) (b) of the statutes is created to read:

177.24 (3) (b) If the administrator allows a claim made under sub. (1) (b), the administrator shall pay the claimant the amount reported to the administrator under s. 177.17.

SECTION 2907. 177.24 (4) of the statutes is amended to read:

177.24 (4) Any holder who pays the owner for property that has been delivered to this state which, if claimed from the administrator, would be subject to sub. (3) (a) shall add interest as provided under sub. (3) (a). The added interest shall be repaid to the holder by the administrator in the same manner as the principal.

SECTION 2908. 177.25 (1m) of the statutes is created to read:

177.25 (1m) At any time after December 1 following the reporting, under s. 177.17, of property that is in the form of amounts credited under s. 20.912 (1) to the support collections trust fund or amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded, another state may recover the property under any of the circumstances described in sub. (1) (a) to (d).

SECTION 2909. 177.25 (2) of the statutes is amended to read:

177.25 (2) The claim of another state to recover escheated or abandoned property shall be presented in a form prescribed by the administrator, who shall decide the claim within 90 days after it is presented. The administrator shall allow the claim if he or she determines that the other state is entitled to the abandoned property under sub. (1) or (1m).

SECTION 2910. 177.265 of the statutes is created to read:

177.265 Reimbursement for claims and administrative expenses. (1) At least quarterly, the department of workforce development shall reimburse the adminis-

trator, based on information provided by the administrator, for all of the following:

(a) Any claims paid under ss. 177.24 to 177.26, since the last reimbursement was made, with respect to abandoned property in the form of amounts credited under s. 20.912 (1) to the support collections trust fund and amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded.

(b) Any administrative expenses specified in s. 177.23 (2) (a) to (c), incurred since the last reimbursement was made, with respect to abandoned property in the form of amounts credited under s. 20.912 (1) to the support collections trust fund and amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded.

(2) The administrator shall deposit in the general fund all moneys received under sub. (1).

SECTION 2911. 177.26 (2) of the statutes is renumbered 177.26 (1).

177.35 (1) This section is amended to read: (1) If the administrator reports the property to the support collections trust fund within 24 months after the date of delivery of the property to the administrator, the administrator shall create to read:

SECTION 2912. 177.35 (1) of the statutes is amended to read:

177.35 (1) If the administrator reports the property to the support collections trust fund in the form of amounts credited under s. 20.912 (1) to the support collections trust fund or amounts not distributable from the support collections trust fund to the persons for whom the amounts were awarded is not enforceable if the agreement is entered into within 12 months after December 1 following the reporting of the property under s. 177.17.

SECTION 2913. 178.48 (2) of the statutes is amended to read:

178.48 (2) The department shall collect ~~a \$10~~ the fee established under s. 182.01 (4) (c) each time process is served on the department under this chapter.

SECTION 2914. 178.48 (3) of the statutes is amended to read:

178.48 (3) In addition to the fees required under sub. (1), the department shall collect ~~\$25~~ the fee established under s. 182.01 (4) (d) for processing in an expeditious manner a document required or permitted to be filed with the department under this chapter.

SECTION 2915. 179.16 (4) of the statutes is repealed.

SECTION 2916. 179.16 (5) of the statutes is amended to read:

179.16 (5) The department shall charge and collect, for processing a document required or permitted to be filed under this chapter in an expeditious manner, ~~or preparing the information under sub. (4) in an expeditious manner, the expedited service~~ the fee established under s. 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

*Personal as amendments info LPS-4099/11 (LPS-4099/11)*

*\* \* LPS: \* Need to add 11 was affected by 2001 Wisconsin Act 16 to each section phrase. \* \**

**SECTION 2917.** 179.88 of the statutes is amended to read:

**179.88 Substituted service.** Service of process on the department under this subchapter shall be made by serving of duplicate copies of the process on the department, together with ~~a the fee of \$10 established under s. 182.01 (4) (c).~~ The department shall mail notice of the service and a copy of the process within 10 days addressed to the foreign limited partnership at its office in the state of its organization. The time within which the foreign limited partnership may answer or move to dismiss under s. 802.06 (2) does not start to run until 10 days after the date of the mailing. The department shall keep a record of service of process under this section showing the day and hour of service and the date of mailing.

**SECTION 2917b.** 180.0122 (1) (a) of the statutes is amended to read:

180.0122 (1) (a) Articles of incorporation, ~~1 cent for each authorized share, except the minimum fee is \$90 and the maximum fee is \$10,000 and except that the fee for investment companies is determined under sub. (1m)~~ \$100.

**SECTION 2917d.** 180.0122 (1) (m) of the statutes is amended to read:

180.0122 (1) (m) Amendment of articles of incorporation, ~~\$40; plus 1 cent for each authorized share after the amendment, less a credit of 1 cent for each authorized share immediately before the amendment; except the maximum fee under this paragraph is \$10,000 and except that the fee for investment companies is determined under sub. (1m).~~

**SECTION 2917f.** 180.0122 (1) (n) of the statutes is amended to read:

180.0122 (1) (n) Restatement of articles of incorporation with or without amendment of articles, ~~\$40; plus 1 cent for each authorized share after the restatement and any amendment, less a credit of 1 cent for each authorized share immediately before the restatement and any amendment; except the maximum fee under this paragraph is \$10,000 and except that the fee for investment companies is determined under sub. (1m).~~

**SECTION 2917h.** 180.0122 (1) (o) of the statutes is amended to read:

180.0122 (1) (o) Articles of merger, \$50 for each domestic corporation and each foreign corporation authorized to transact business in this state that is a party to the merger; ~~plus 1 cent for each authorized share of the surviving domestic corporation after the merger, less a credit of 1 cent for each share that is authorized immediately before the merger by each domestic corporation that is a party to the merger; except the maximum fee under this paragraph is \$10,000 and except that the fee for investment companies is determined under sub. (1m).~~

**SECTION 2917j.** 180.0122 (1) (om) of the statutes is amended to read:

180.0122 (1) (om) Articles of share exchange, \$50 for each domestic corporation and each foreign corporation authorized to transact business in this state that is a party to the share exchange; ~~plus 1 cent for each authorized share of the acquiring domestic corporation after the share exchange, less a credit of 1 cent for each share that is authorized immediately before the share exchange by the acquiring domestic corporation; except the maximum fee under this paragraph is \$10,000.~~

**SECTION 2917m.** 180.0122 (1) (x) of the statutes is amended to read:

180.0122 (1) (x) Annual report of a domestic corporation ~~that is submitted to the department by authorized electronic means, \$25; annual report of a domestic corporation that is submitted to the department on paper, \$40.~~

**SECTION 2917p.** 180.0122 (1) (y) of the statutes is amended to read:

180.0122 (1) (y) Annual report of a foreign corporation, ~~\$50, that is submitted to the department by authorized electronic means, \$65, and annual report submitted to the department on paper, \$80,~~ and in case the annual report shows that the foreign corporation employs in this state capital in excess of the amount of capital on which a fee has previously been paid, computed as provided in s. 180.1503, an additional fee which, with previous payments made on account of capital employed in this state, will amount to \$2 for each \$1,000 or fraction thereof of the excess.

**SECTION 2918.** 180.0122 (1) (z) of the statutes is amended to read:

180.0122 (1) (z) Request for certificate or statement of status, ~~\$5 the fee established under s. 182.01 (4) (b).~~

~~**SECTION 2918m.** 180.0122 (1m) of the statutes is repealed.~~

**SECTION 2919.** 180.0122 (2) of the statutes is amended to read:

180.0122 (2) The department shall collect a ~~\$10 the fee established under s. 182.01 (4) (c)~~ each time process is served on the department under this chapter. The party to a civil, criminal, administrative or investigatory proceeding causing service of process may recover this fee as costs if the party prevails in the proceeding.

**SECTION 2920.** 180.0122 (4) of the statutes is amended to read:

180.0122 (4) In addition to the fees required under sub. (1), the department shall collect the expedited service fee ~~established under s. 182.01 (4) (d)~~ for processing in an expeditious manner a document required or permitted to be filed under this chapter ~~or and shall collect the fee established under s. 182.01 (4) (f)~~ for preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to (3) or a statement of status under s. 180.0128 (4).

**SECTION 2920c.** 180.0701 (4) (c) of the statutes is amended to read:

180.0701 (4) (c) Ratification of the selection of independent certified public accountants licensed or certified under ch. 442.

**SECTION 2920g.** 180.0826 (2) of the statutes is amended to read:

180.0826 (2) Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters that the director or officer believes in good faith are within the person's professional or expert competence.

**SECTION 2920n.** 180.1903 (1) of the statutes is amended to read:

180.1903 (1) ~~One~~ Except as provided in sub. (1m), one or more natural persons licensed, certified, or registered pursuant to any provisions of the statutes, if all have the same license, certificate, or registration or if all are health care professionals, may organize and own shares in a service corporation. A service corporation may own, operate, and maintain an establishment and otherwise serve the convenience of its shareholders in carrying on the particular profession, calling, or trade for which the licensure, certification, or registration of its organizers is required.

**SECTION 2920r.** 180.1903 (1m) of the statutes is created to read:

180.1903 (1m) A service corporation for carrying on the profession of certified public accounting may be organized under sub. (1) if more than 50% of the shareholders are certified public accountants.

**SECTION 2920w.** 180.1921 (2) of the statutes is amended to read:

180.1921 (2) The report shall show the address of this service corporation's principal office and the name and post-office address of each shareholder, director, and officer of the service corporation and shall certify that, with the exceptions permitted in s. ss. 180.1903 (1m) and 180.1913, each shareholder, director, and officer is licensed, certified, registered, or otherwise legally authorized to render the same professional or other personal service in this state or is a health care professional. The service corporation shall prepare the report on forms prescribed and furnished by the department, and the report shall contain no fiscal or other information except that expressly called for by this section. The department shall forward report blanks by 1st class mail to every service corporation in good standing, at least 60 days before the date on which the service corporation is required by this section to file an annual report.

**SECTION 2921.** 181.0122 (1) (zm) of the statutes is amended to read:

181.0122 (1) (zm) Request for certificate or statement of status, \$5 or, if information other than the information provided under s. 181.0128 (2) is requested, \$10 the fee established under s. 182.01 (4) (b).

**SECTION 2922.** 181.0122 (2) of the statutes is amended to read:

181.0122 (2) **PROCESS FEE.** The department shall collect a \$10 the fee established under s. 182.01 (4) (c) each time process is served on the department under this chapter. The party to a civil, criminal, administrative or investigatory proceeding who is causing service of process may recover this fee as costs if the party prevails in the proceeding.

**SECTION 2923.** 181.0122 (4) of the statutes is amended to read:

181.0122 (4) **EXPEDITED SERVICE FEE.** In addition to the fees required under sub. (1), the department shall collect the expedited service fee established under s. 182.01 (4) (d) for processing, in an expeditious manner, a document required or permitted to be filed under this chapter or and shall collect the fee established under s. 182.01 (4) (f) for preparing, in an expeditious manner, a certificate of status under s. 181.0128 (2) or a statement of status under s. 181.0128 (4).

**SECTION 2923g.** 181.0850 (2) of the statutes is amended to read:

181.0850 (2) **PROFESSIONALS AND EXPERTS.** Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

**SECTION 2923r.** 181.1620 (2) (intro.) of the statutes is amended to read:

181.1620 (2) (intro.) **ACCOUNTANT'S CERTIFIED PUBLIC ACCOUNTANT'S REPORT OR OFFICER'S STATEMENT.** If annual financial statements are reported upon by a certified public accountant licensed or certified under ch. 442, the certified public accountant's report must accompany them. If not, the statements must be accompanied by a statement of the president or the person responsible for the corporation's financial accounting records that includes all of the following:

**SECTION 2924.** 182.01 (4) of the statutes is repealed and recreated to read:

182.01 (4) **PREPARATION OF COPIES, ISSUANCE OF CERTIFICATES, AND PERFORMANCE OF SERVICES.** The department shall establish by rule the fees for all of the following:

(a) Providing electronic access to, or preparing and supplying copies or certified copies of, any resolution, deed, bond, record, document, or paper deposited with or kept by the department under this section.

(b) Issuing certificates or statements, in any form, relating to the results of searches of records and files of the department.

(c) Processing any service of process, notice, or demand served on the department.

(d) Processing, in an expeditious manner, a document required or permitted to be filed with the department.

(e) Providing, in an expeditious manner, electronic access to any resolution, deed, bond, record, document,



or paper deposited with or kept by the department under this section.

(f) Preparing, in an expeditious manner, any copies, certified copies, certificates, or statements provided under this section.

**SECTION 2927.** 183.0114 (1) (t) of the statutes is amended to read:

183.0114 (1) (t) Request for certificate or statement of status, \$5 the fee established under s. 182.01 (4) (b).

**SECTION 2928.** 183.0114 (1) (u) of the statutes is amended to read:

183.0114 (1) (u) Processing in an expeditious manner a document required or permitted to be filed under this chapter, or preparing in an expeditious manner a certificate or statement of status, \$25 the fee established under s. 182.01 (4) (d).

**SECTION 2928r.** 183.0114 (1) (w) of the statutes is amended to read:

183.0114 (1) (w) Annual report of a foreign limited liability company, \$50 that is submitted to the department by authorized electronic means, \$65; annual report submitted to the department on paper, \$80.

**SECTION 2932d.** 185.363 (2) of the statutes is amended to read:

185.363 (2) Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

**SECTION 2932h.** 185.61 (1) of the statutes is amended to read:

185.61 (1) (a) If otherwise lawful, any 2 or more associations may merge or consolidate under this chapter or under the law of the state where the surviving or new association will exist.

(b) Before a cooperative may merge or consolidate with any other association, a written plan of merger or consolidation shall be prepared by the board or by a committee selected by the board or the members for that purpose. The plan shall set forth all the terms of the merger or consolidation, including any provisions for abandonment of the plan, and the proposed effect of the plan on all members and stockholders of the cooperative, including the treatment of the equity interest of the members upon merger or consolidation.

(c) In case of consolidation, the plan of consolidation shall also contain the articles of the new association.

**SECTION 2932r.** 185.62 (5) of the statutes is created to read:

185.62 (5) The surviving association, in the case of a merger, or the new association, in the case of consolidation, shall prepare an annual report on the implementation of any provision in the plan of merger or consolidation relating to the equity interest of any member that was affected by the merger or consolidation. The report shall be kept in the principal office of the surviving associa-

tion, in the case of a merger, or in the principal office of the new association, in the case of consolidation, and shall be available for inspection by any member whose equity interest was affected by the merger or consolidation. The surviving association, in the case of a merger, or the new association, in the case of consolidation, shall prepare the report until such time that the implementation of any provision in the plan of merger or consolidation relating to the equity interest of any member that was affected by the merger or consolidation is complete.

**SECTION 2933.** 185.83 (1) (d) of the statutes is amended to read:

185.83 (1) (d) Receiving services of any process, notice or demand, authorized to be served on the department by this chapter, \$40 the fee established under s. 182.01 (4) (c).

**SECTION 2934.** 185.83 (1) (f) of the statutes is repealed.

**SECTION 2935.** 185.83 (1) (fm) of the statutes is repealed.

**SECTION 2936.** 185.83 (1) (h) of the statutes is amended to read:

185.83 (1) (h) Processing a document required or permitted to be filed or recorded under this chapter in an expeditious manner, or preparing the information under par. (f) or (fm) in an expeditious manner, \$25 the fee established under s. 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

**SECTION 2943m.** 186.094 (2) of the statutes is amended to read:

186.094 (2) Legal counsel, certified public accountants licensed or certified under ch. 442, or other persons as to matters the director or officer believes in good faith are within the person's professional or expert competence.

**SECTION 2952m.** 186.15 (1) of the statutes is amended to read:

186.15 (1) ANNUAL AUDIT. Except as provided in sub. (2), the board of directors shall hire a licensed certified public accountant licensed or certified under ch. 442 or other qualified person to conduct a comprehensive annual audit of the records, accounts and affairs of the credit union.

**SECTION 2972d.** 187.31 (2) of the statutes is amended to read:

187.31 (2) Legal counsel, certified public accountants licensed or certified under ch. 442, or other professional persons or experts employed by the incorporated Roman Catholic church, as to matters the director or officer believes in good faith are within the person's professional or expert competence.

**SECTION 2972g.** 187.41 (2) of the statutes is amended to read:

187.41 (2) Legal counsel, certified public accountants licensed or certified under ch. 442, or other professional persons or experts employed by the religious orga-

DOA:.....Geisler - Business association fees

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

1     **AN ACT ...; relating to:** fees charged by the department of financial institutions  
2         for providing certain services relating to the regulation of business  
3         associations, authorizing the department of financial institutions to  
4         administratively dissolve a limited liability company, and granting  
5         rule-making authority.

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*Analysis by the Legislative Reference Bureau*

**COMMERCE AND ECONOMIC DEVELOPMENT**

**COMMERCE**

This bill requires DFI to establish by rule fees for a number of services provided by DFI relating to the regulation of business associations, which fees are currently set by statute. The services include providing electronic access to, or preparing and supplying copies or certified copies of, certain resolutions, deeds, bonds, records, documents, or other papers deposited with or kept by DFI; issuing certificates or statements, in any form, relating to the results of searches of records and files of DFI; processing any service of process, notice, or demand served on DFI; processing, in an expeditious manner, a document required or permitted to be filed with DFI; providing, in an expeditious manner, electronic access to certain resolutions, deeds, bonds, records, documents, or other papers deposited with or kept by DFI; and

preparing, in an expeditious manner, certain copies, certified copies, certificates, or statements provided to DFI.

In addition, the bill authorizes DFI to administratively dissolve a limited liability company if any of the following occur: the limited liability company does not pay, within one year after they are due, any fees or penalties due DFI; the limited liability company is without a registered agent or registered office in this state for at least one year; and the limited liability company does not notify DFI within one year that its registered agent or registered office has been changed, that its registered agent has resigned, or that its registered office has been discontinued.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 178.48 (2) of the statutes is amended to read:

2           178.48 (2) The department shall collect a ~~\$10~~ the fee established under s.  
3 182.01 (4) (c) each time process is served on the department under this chapter.

4           **SECTION 2.** 178.48 (3) of the statutes is amended to read:

5           178.48 (3) In addition to the fees required under sub. (1), the department shall  
6 collect ~~\$25~~ the fee established under s. 182.01 (4) (d) for processing in an expeditious  
7 manner a document required or permitted to be filed with the department under this  
8 chapter.

9           **SECTION 3.** 179.16 (4) of the statutes is repealed.

10          **SECTION 4.** 179.16 (5) of the statutes is amended to read:

11          179.16 (5) The department shall charge and collect, for processing a document  
12 required or permitted to be filed under this chapter in an expeditious manner, ~~or~~  
13 ~~preparing the information under sub. (4) in an expeditious manner, the expedited~~  
14 ~~service~~ the fee established under s. 182.01 (4) (d) in addition to the fee required by  
15 other provisions of this chapter.

16          **SECTION 5.** 179.88 of the statutes is amended to read:

1           **179.88 Substituted service.** Service of process on the department under this  
2 subchapter shall be made by serving of duplicate copies of the process on the  
3 department, together with a the fee of \$10 established under s. 182.01 (4) (c). The  
4 department shall mail notice of the service and a copy of the process within 10 days  
5 addressed to the foreign limited partnership at its office in the state of its  
6 organization. The time within which the foreign limited partnership may answer or  
7 move to dismiss under s. 802.06 (2) does not start to run until 10 days after the date  
8 of the mailing. The department shall keep a record of service of process under this  
9 section showing the day and hour of service and the date of mailing.

10           **SECTION 6.** 180.0122 (1) (z) of the statutes is amended to read:

11           180.0122 (1) (z) Request for certificate or statement of status, \$5 the fee  
12 established under s. 182.01 (4) (b).

13           **SECTION 7.** 180.0122 (2) of the statutes is amended to read:

14           180.0122 (2) The department shall collect a \$10 the fee established under s.  
15 182.01 (4) (c) each time process is served on the department under this chapter. The  
16 party to a civil, criminal, administrative or investigatory proceeding causing service  
17 of process may recover this fee as costs if the party prevails in the proceeding.

18           **SECTION 8.** 180.0122 (4) of the statutes is amended to read:

19           180.0122 (4) In addition to the fees required under sub. (1), the department  
20 shall collect the expedited service fee established under s. 182.01 (4) (d) for  
21 processing in an expeditious manner a document required or permitted to be filed  
22 under this chapter ~~or~~ and shall collect the fee established under s. 182.01 (4) (f) for  
23 preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to  
24 (3) or a statement of status under s. 180.0128 (4).

25           **SECTION 9.** 181.0122 (1) (zm) of the statutes is amended to read:

1           181.0122 (1) (zm) Request for certificate or statement of status, \$5 ~~or, if~~  
2 ~~information other than the information provided under s. 181.0128 (2) is requested,~~  
3 ~~\$10 the fee established under s. 182.01 (4) (b).~~

4           **SECTION 10.** 181.0122 (2) of the statutes is amended to read:

5           181.0122 (2) PROCESS FEE. The department shall collect a ~~\$10 the fee~~  
6 ~~established under s. 182.01 (4) (c)~~ each time process is served on the department  
7 under this chapter. The party to a civil, criminal, administrative or investigatory  
8 proceeding who is causing service of process may recover this fee as costs if the party  
9 prevails in the proceeding.

10          **SECTION 11.** 181.0122 (4) of the statutes is amended to read:

11          181.0122 (4) EXPEDITED SERVICE FEE. In addition to the fees required under sub.  
12 (1), the department shall collect the expedited service fee established under s. 182.01  
13 (4) (d) for processing, in an expeditious manner, a document required or permitted  
14 to be filed under this chapter ~~or~~ and shall collect the fee established under s. 182.01  
15 (4) (f) for preparing, in an expeditious manner, a certificate of status under s.  
16 181.0128 (2) or a statement of status under s. 181.0128 (4).

17          **SECTION 12.** 182.01 (4) of the statutes is repealed and recreated to read:

18          182.01 (4) PREPARATION OF COPIES, ISSUANCE OF CERTIFICATES, AND PERFORMANCE  
19 OF SERVICES. The department shall establish by rule the fees for all of the following:

20           (a) Providing electronic access to, or preparing and supplying copies or certified  
21 copies of, any resolution, deed, bond, record, document, or paper deposited with or  
22 kept by the department under this section.

23           (b) Issuing certificates or statements, in any form, relating to the results of  
24 searches of records and files of the department.

1 (c) Processing any service of process, notice, or demand served on the  
2 department.

3 (d) Processing, in an expeditious manner, a document required or permitted to  
4 be filed with the department.

5 (e) Providing, in an expeditious manner, electronic access to any resolution,  
6 deed, bond, record, document, or paper deposited with or kept by the department  
7 under this section.

8 (f) Preparing, in an expeditious manner, any copies, certified copies,  
9 certificates, or statements provided under this section.

10 **SECTION 13.** 183.0105 (8) (c) of the statutes is amended to read:

11 183.0105 (8) (c) If Except as provided in par. (cm), if the address of the limited  
12 liability company's principal office cannot be determined from the records of the  
13 department, the limited liability company may be served by publishing a class 3  
14 notice, under ch. 985, in the community where the limited liability company's  
15 registered office, as most recently designated in the records of the department, is  
16 located.

17 **SECTION 14.** 183.0105 (8) (cm) of the statutes is created to read:

18 183.0105 (8) (cm) If a process, notice, or demand is served by the department  
19 on a limited liability company under s. 183.0911 and the address of the limited  
20 liability company's principal office cannot be determined from the records of the  
21 department, the limited liability company may be served by publishing a class 2  
22 notice, under ch. 985, in the official state newspaper.

23 **SECTION 15.** 183.0114 (1) (t) of the statutes is amended to read:

24 183.0114 (1) (t) Request for certificate or statement of status, \$5 the fee  
25 established under s. 182.01 (4) (b).

1           **SECTION 16.** 183.0114 (1) (u) of the statutes is amended to read:

2           183.0114 (1) (u) Processing in an expeditious manner a document required or  
3 permitted to be filed under this chapter, or preparing in an expeditious manner a  
4 certificate or statement of status, ~~\$25~~ the fee established under s. 182.01 (4) (d).

5           **SECTION 17.** 183.0910 of the statutes is created to read:

6           **183.0910 Grounds for administrative dissolution.** The department may  
7 bring a proceeding under s. 183.0911 to administratively dissolve a limited liability  
8 company if any of the following occurs:

9           (1) The limited liability company does not pay, within one year after they are  
10 due, any fees or penalties due the department under this chapter.

11           (3) The limited liability company is without a registered agent or registered  
12 office in this state for at least one year.

13           (4) The limited liability company does not notify the department within one  
14 year that its registered agent or registered office has been changed, that its  
15 registered agent has resigned, or that its registered office has been discontinued.

16           **SECTION 18.** 183.0911 of the statutes is created to read:

17           **183.0911 Procedure for and effect of administrative dissolution.** (1) If  
18 the department determines that one or more grounds exist under s. 183.0910 for  
19 dissolving a limited liability company, the department shall serve the limited  
20 liability company under s. 183.0105 (8) with written notice of the determination.

21           (2) (a) Within 60 days after service of the notice is perfected under s. 183.0105  
22 (8), the limited liability company shall correct each ground for dissolution or  
23 demonstrate to the reasonable satisfaction of the department that each ground  
24 determined by the department does not exist.

1 (b) If the limited liability company fails to satisfy par. (a), the department shall  
2 administratively dissolve the limited liability company by issuing a certificate of  
3 dissolution that recites each ground for dissolution and the effective date of  
4 dissolution. The department shall file the original of the certificate and serve a copy  
5 on the limited liability company under s. 183.0105 (8).

6 (3) Sections 183.0903 to 183.0905 and 183.0907 to 183.0909 apply to a limited  
7 liability company that is administratively dissolved.

8 (4) A limited liability company's right to the exclusive use of its company name  
9 terminates on the effective date of its administrative dissolution.

10 **SECTION 19.** 183.0912 of the statutes is created to read:

11 **183.0912 Reinstatement following administrative dissolution.** (1) A  
12 limited liability company that is administratively dissolved may apply to the  
13 department for reinstatement. The application shall include all of the following:

14 (a) The name of the limited liability company and the effective date of its  
15 administrative dissolution.

16 (b) A statement that each ground for dissolution either did not exist or has been  
17 cured.

18 (c) A statement that the limited liability company's name satisfies s. 183.0103.

19 (2) (a) The department shall cancel the certificate of dissolution and issue a  
20 certificate of reinstatement that complies with par. (b) if the department determines  
21 all of the following:

22 1. That the application contains the information required by sub. (1) and the  
23 information is correct.

24 2. That all fees and penalties owed by the limited liability company to the  
25 department under this chapter have been paid.



1 (b) The certificate of reinstatement shall state the department's determination  
2 under par. (a) and the effective date of reinstatement. The department shall file the  
3 certificate and provide a copy to the limited liability company or its representative.

4 (3) When the reinstatement becomes effective, it shall relate back to and take  
5 effect as of the effective date of the administrative dissolution, and the limited  
6 liability company may resume carrying on its business as if the administrative  
7 dissolution had never occurred.

8 **SECTION 20.** 183.0913 of the statutes is created to read:

9 **183.0913 Appeal from denial of reinstatement.** (1) If the department  
10 denies a limited liability company's application for reinstatement under s. 183.0912,  
11 the department shall serve the limited liability company under s. 183.0105 (8) with  
12 a written notice that explains each reason for denial.

13 (2) The limited liability company may appeal the denial of reinstatement to the  
14 circuit court for the county where the limited liability company's principal office or,  
15 if none in this state, its registered office is located, within 30 days after service of the  
16 notice of denial is perfected. The limited liability company shall appeal by  
17 petitioning the court to set aside the dissolution and attaching to the petition copies  
18 of the department's certificate of dissolution, the limited liability company's  
19 application for reinstatement, and the department's notice of denial.

20 (3) The court may order the department to reinstate the dissolved limited  
21 liability company or may take other action that the court considers appropriate.

22 (4) The court's final decision may be appealed as in other civil proceedings.

23 **SECTION 21.** 185.83 (1) (d) of the statutes is amended to read:

1           185.83 (1) (d) Receiving services of any process, notice or demand, authorized  
2 to be served on the department by this chapter, \$10 the fee established under s.  
3 182.01 (4) (c).

4           **SECTION 22.** 185.83 (1) (f) of the statutes is repealed.

5           **SECTION 23.** 185.83 (1) (fm) of the statutes is repealed.

6           **SECTION 24.** 185.83 (1) (h) of the statutes is amended to read:

7           185.83 (1) (h) Processing a document required or permitted to be filed or  
8 recorded under this chapter in an expeditious manner, ~~or preparing the information~~  
9 ~~under par. (f) or (fm) in an expeditious manner,~~ \$25 the fee established under s.  
10 182.01 (4) (d) in addition to the fee required by other provisions of this chapter.

11           **SECTION 9120. Nonstatutory provisions; financial institutions.**

12           (1) FEES CHARGED BY THE DEPARTMENT OF FINANCIAL INSTITUTIONS.  
13 Notwithstanding sections 178.48 (2) and (3), 179.16 (5), 179.88, 180.0122 (1) (z), (2),  
14 and (4), 181.0122 (1) (zm), (2), and (4), 182.01 (4), 183.0114 (1) (t) and (u), and 185.83  
15 (1) (d), (f), (fm), and (h) of the statutes, as affected by this act, the department of  
16 financial institutions shall continue to charge and collect the fees established under  
17 sections 178.48 (2) and (3), 179.16 (5), 179.88, 180.0122 (1) (z), (2), and (4), 181.0122  
18 (1) (zm), (2), and (4), 182.01 (4), 183.0114 (1) (t) and (u), and 185.83 (1) (f), (fm), and  
19 (h), 1999 stats., until the department has promulgated rules under section 182.01 (4)  
20 of the statutes, as affected by this act. This subsection shall not apply after December  
21 31, 2002.

22           **SECTION 9420. Effective dates; financial institutions.**



LFB:.....Reinhardt – Business association fees

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

**SENATE AMENDMENT**

**TO SENATE SUBSTITUTE AMENDMENT 1,**

**TO 2001 SENATE BILL 55**

1           At the locations indicated, amend the substitute amendment as follows:

2           **1.** Page 983, line 3: after that line insert:

3           “**SECTION 2917b.** 180.0122 (1) (a) of the statutes is amended to read:

4           180.0122 (1) (a) Articles of incorporation, ~~1 cent for each authorized share,~~  
5           ~~except the minimum fee is \$90 and the maximum fee is \$10,000 and except that the~~  
6           ~~fee for investment companies is determined under sub. (1m) \$100.~~

7           **SECTION 2917d.** 180.0122 (1) (m) of the statutes is amended to read:

8           180.0122 (1) (m) Amendment of articles of incorporation, \$40; ~~plus 1 cent for~~  
9           ~~each authorized share after the amendment, less a credit of 1 cent for each~~  
10          ~~authorized share immediately before the amendment; except the maximum fee~~

1 ~~under this paragraph is \$10,000 and except that the fee for investment companies~~  
2 ~~is determined under sub. (1m).~~

3 **SECTION 2917f.** 180.0122 (1) (n) of the statutes is amended to read:

4 180.0122 (1) (n) Restatement of articles of incorporation with or without  
5 amendment of articles, \$40; ~~plus 1 cent for each authorized share after the~~  
6 ~~restatement and any amendment, less a credit of 1 cent for each authorized share~~  
7 ~~immediately before the restatement and any amendment; except the maximum fee~~  
8 ~~under this paragraph is \$10,000 and except that the fee for investment companies~~  
9 ~~is determined under sub. (1m).~~

10 **SECTION 2917h.** 180.0122 (1) (o) of the statutes is amended to read:

11 180.0122 (1) (o) Articles of merger, \$50 for each domestic corporation and each  
12 foreign corporation authorized to transact business in this state that is a party to the  
13 merger; ~~plus 1 cent for each authorized share of the surviving domestic corporation~~  
14 ~~after the merger, less a credit of 1 cent for each share that is authorized immediately~~  
15 ~~before the merger by each domestic corporation that is a party to the merger; except~~  
16 ~~the maximum fee under this paragraph is \$10,000 and except that the fee for~~  
17 ~~investment companies is determined under sub. (1m).~~

18 **SECTION 2917j.** 180.0122 (1) (om) of the statutes is amended to read:

19 180.0122 (1) (om) Articles of share exchange, \$50 for each domestic corporation  
20 and each foreign corporation authorized to transact business in this state that is a  
21 party to the share exchange; ~~plus 1 cent for each authorized share of the acquiring~~  
22 ~~domestic corporation after the share exchange, less a credit of 1 cent for each share~~  
23 ~~that is authorized immediately before the share exchange by the acquiring domestic~~  
24 ~~corporation; except the maximum fee under this paragraph is \$10,000.~~

25 **SECTION 2917m.** 180.0122 (1) (x) of the statutes is amended to read:





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4099/1

RJM: *mb*

*5000*  
**2001 BILL**

*PKR*

*Generate*  
1 AN ACT ...; relating to: fees charged by the department of financial institutions  
2 for providing certain services relating to the filing of certain documents and the  
3 regulation of business associations.

***Analysis by the Legislative Reference Bureau***

Current law authorizes the department of financial institutions (DFI) to establish by rule fees for a number of services provided by DFI relating to the regulation of business associations. Prior to 2001 Wisconsin Act 16, the amounts of these fees were set by statute. This bill restores the amounts of these fees to the amounts in effect prior to 2001 Wisconsin Act 16 and removes the authority of DFI to establish these fees by rule.

Current law also establishes various fees for the filing of certain documents by corporations. Currently, these fees are as follows:

Articles of incorporation: \$100.

Amendment ~~of~~ articles of incorporation: \$40.

Restatement of articles of incorporation: \$40.

Articles of merger: \$50 per corporation.

Articles of share exchange: \$50 per corporation.

Domestic corporation annual report submitted electronically: \$25.

Domestic corporation annual report submitted on paper: \$40.

Foreign corporation annual report submitted electronically: \$65, plus additional amounts under certain circumstances.

Foreign corporation annual report submitted on paper: \$80, plus additional amounts under certain circumstances.

*of*

**BILL**

In addition, under current law, the fee for a foreign limited liability company's filing of its annual report is \$65, if submitted electronically, or \$80 if submitted on paper. These filing fees were established under 2001 Wisconsin Act 16.

This bill restores the amounts of these filing fees, and certain other filing fees that apply specifically to investment corporations, to the amounts in effect prior to 2001 Wisconsin Act 16. Except for certain fees that apply specifically to investment companies, under this bill, these fees are as follows:

Articles of incorporation: 1 cent per authorized share, with a minimum fee of \$90 and a maximum fee of \$10,000.

Amended articles of incorporation: \$40, plus 1 cent per authorized share, less a credit of 1 cent per authorized share immediately before the amendment, with a maximum fee of \$10,000.

Restated articles of incorporation: \$40, plus 1 cent per authorized share, less a credit of 1 cent per authorized share immediately before the restatement, with a maximum fee of \$10,000.

Articles of merger: \$50 per corporation, plus 1 cent per authorized share of the surviving corporation, less a credit of 1 cent per authorized share immediately before the merger, with a maximum fee of \$10,000.

Articles of share exchange: \$50 per corporation, plus 1 cent per authorized share of the acquiring corporation after the exchange, less a credit of 1 cent per authorized share immediately before the exchange, with a maximum fee of \$10,000.

Annual report of a domestic corporation: \$25. *plain*

Annual report of a foreign corporation: \$50, plus additional amounts under certain circumstances.

Annual report of a foreign limited liability company: \$50.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 178.48 (2) of the statutes, as affected by 2001 Wisconsin Act 16, is  
2 amended to read:

3           178.48 (2) The department shall collect the a fee established under s. 182.01  
4 (4) (e) of \$10 each time process is served on the department under this chapter.

History: 2001 a. 16

5           **SECTION 2.** 178.48 (3) of the statutes, as affected by 2001 Wisconsin Act 16, is  
6 amended to read:



**BILL**

1           178.48 (3) In addition to the fees required under sub. (1), the department shall  
2 collect ~~the fee established under s. 182.01 (4) (d) \$25~~ for processing in an expeditious  
3 manner a document required or permitted to be filed with the department under this  
4 chapter.

5 History: 2001 a. 16. ✓

**SECTION 3.** 179.16 (4) of the statutes is created to read:

6           179.16 (4) The department shall charge and collect for:

7           (a) Answering a request for verification of the existence or the registration of  
8 a domestic or foreign limited partnership, its name, its current record office or agent,  
9 or the date of registration or filing of a certificate of limited partnership, the following  
10 amounts:

11           1. If written, \$4.

12           2. If conveyed by facsimile machine, \$7.

13           (b) Answering in writing a request for information specified in par. (a) plus a  
14 list of the names and addresses of the general partners and the address of the record  
15 office or, if a foreign limited partnership, its principal office or other such office  
16 required to be maintained in its state of organization, \$7; and, if the list of general  
17 partners exceeds one page, 50 cents for each additional page.

18 History: 1983 a. 173; 1985 a. 29, 338; 1987 a. 27; 1989 a. 232; 1991 a. 32; 1993 a. 214; 1995 a. 27, ✓

**SECTION 4.** 179.16 (5) of the statutes, as affected by 2001 Wisconsin Act 16, is  
19 amended to read:

20           179.16 (5) The department shall charge and collect, for processing a document  
21 required or permitted to be filed under this chapter in an expeditious manner, ~~the~~  
22 or preparing the information under sub. (4) in an expeditious manner, the expedited

## BILL

1 service fee established under s. 182.01 (4) (d) in addition to the fee required by other  
2 provisions of this chapter.

History: 2001 a. 16.

3 **SECTION 5.** 179.88 of the statutes, as affected by 2001 Wisconsin Act 16, is  
4 amended to read:

5 **179.88 Substituted service.** Service of process on the department under this  
6 subchapter shall be made by serving of duplicate copies of the process on the  
7 department, together with the a fee established under s. 182.01 (4) (e) of \$10. The  
8 department shall mail notice of the service and a copy of the process within 10 days  
9 addressed to the foreign limited partnership at its office in the state of its  
10 organization. The time within which the foreign limited partnership may answer or  
11 move to dismiss under s. 802.06 (2) does not start to run until 10 days after the date  
12 of the mailing. The department shall keep a record of service of process under this  
13 section showing the day and hour of service and the date of mailing.

History: 2001 a. 16.

14 **SECTION 6.** 180.0122 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
15 16, is amended to read:

16 180.0122 (1) (a) Articles of incorporation, \$100 1 cent for each authorized  
17 share, except the minimum fee is \$90 and the maximum fee is \$10,000 and except  
18 that the fee for investment companies is determined under sub. (1m).

History: 2001 a. 16.

19 **SECTION 7.** 180.0122 (1) (m) of the statutes, as affected by 2001 Wisconsin Act  
20 16, is amended to read:

21 180.0122 (1) (m) Amendment of articles of incorporation, \$40; plus 1 cent for  
22 each authorized share after the amendment, less a credit of 1 cent for each  
23 authorized share immediately before the amendment; except the maximum fee

## BILL

1 under this paragraph is \$10,000 and except that the fee for investment companies  
2 is determined under sub. (1m).

3 History: 2001 a. 16.

3 **SECTION 8.** 180.0122 (1) (n) of the statutes, as affected by 2001 Wisconsin Act  
4 16, is amended to read:

5 180.0122 (1) (n) Restatement of articles of incorporation with or without  
6 amendment of articles, \$40; plus 1 cent for each authorized share after the  
7 restatement and any amendment, less a credit of 1 cent for each authorized share  
8 immediately before the restatement and any amendment; except the maximum fee  
9 under this paragraph is \$10,000 and except that the fee for investment companies  
10 is determined under sub. (1m).

11 History: 2001 a. 16.

11 **SECTION 9.** 180.0122 (1) (o) of the statutes, as affected by 2001 Wisconsin Act  
12 16, is amended to read:

13 180.0122 (1) (o) Articles of merger, \$50 for each domestic corporation and each  
14 foreign corporation authorized to transact business in this state that is a party to the  
15 merger; plus 1 cent for each authorized share of the surviving domestic corporation  
16 after the merger, less a credit of 1 cent for each share that is authorized immediately  
17 before the merger by each domestic corporation that is a party to the merger; except  
18 the maximum fee under this paragraph is \$10,000 and except that the fee for  
19 investment companies is determined under sub. (1m).

20 History: 2001 a. 16.

20 **SECTION 10.** 180.0122 (1) (om) of the statutes, as affected by 2001 Wisconsin  
21 Act 16, is amended to read:

22 180.0122 (1) (om) Articles of share exchange, \$50 for each domestic corporation  
23 and each foreign corporation authorized to transact business in this state that is a  
24 party to the share exchange; plus 1 cent for each authorized share of the acquiring

## BILL

1 domestic corporation after the share exchange, less a credit of 1 cent for each share  
2 that is authorized immediately before the share exchange by the acquiring domestic  
3 corporation; except the maximum fee under this paragraph is \$10,000.

4 History: 2001 a. 16.

4 **SECTION 11.** 180.0122 (1) (x) of the statutes, as affected by 2001 Wisconsin Act  
5 16, is amended to read:

6 180.0122 (1) (x) Annual report of a domestic corporation that is submitted to  
7 ~~the department by authorized electronic means, \$25; annual report of a domestic~~  
8 ~~corporation that is submitted to the department on paper, \$40.~~

9 History: 2001 a. 16.

9 **SECTION 12.** 180.0122 (1) (y) of the statutes, as affected by 2001 Wisconsin Act  
10 16, is amended to read:

11 180.0122 (1) (y) Annual report of a foreign corporation ~~that is submitted to the~~  
12 ~~department by authorized electronic means, \$65, and annual report submitted to the~~  
13 ~~department on paper, \$80, \$50, and in case the annual report shows that the foreign~~  
14 ~~corporation employs in this state capital in excess of the amount of capital on which~~  
15 ~~a fee has previously been paid, computed as provided in s. 180.1503, an additional~~  
16 ~~fee which, with previous payments made on account of capital employed in this state,~~  
17 ~~will amount to \$2 for each \$1,000 or fraction thereof of the excess.~~

18 History: 2001 a. 16.

18 **SECTION 13.** 180.0122 (1) (z) of the statutes, as affected by 2001 Wisconsin Act  
19 16, is amended to read:

20 180.0122 (1) (z) Request for certificate or statement of status, ~~the fee~~  
21 ~~established under s. 182.01 (4) (b) \$5.~~

22 History: 2001 a. 16.

22 **SECTION 14.** 180.0122 (1m) of the statutes is created to read:

**BILL**

1           180.0122 (1m) The department shall collect the following fees when the  
2 documents described in this subsection are delivered to the department for filing by  
3 an investment company:

4           (a) Articles of incorporation; an amount determined as follows:

5           1. If the investment company declares an indefinite number of authorized  
6 shares, \$12,500.

7           2. If the investment company does not declare an indefinite number of  
8 authorized shares, 1 cent for each authorized share, except the minimum fee under  
9 this subdivision is \$90 and the maximum fee is \$10,000.

10          (b) Amendment of articles of incorporation; \$40, unless the amendment  
11 increases the number of authorized shares or declares an indefinite number of  
12 authorized shares, in which case an amount determined as follows shall be added to  
13 the \$40 fee:

14          1. If the amendment increases the number of authorized shares, 1 cent for each  
15 authorized share after the amendment, less a credit of 1 cent for each authorized  
16 share immediately before the amendment; except the maximum fee under this  
17 subdivision is \$10,000.

18          2. If the amendment declares an indefinite number of authorized shares,  
19 \$12,500, less a credit of 1 cent for each authorized share immediately before the  
20 amendment.

21          (c) Restatement of articles of incorporation with or without amendment of  
22 articles; \$40, unless the restatement also amends the articles to increase the number  
23 of authorized shares or to declare an indefinite number of authorized shares, in  
24 which case an amount determined as follows shall be added to the \$40 fee:

**BILL**

1           1. If the restatement amends the articles to increase the number of authorized  
2 shares, 1 cent for each authorized share after the amendment, less a credit of 1 cent  
3 for each authorized share immediately before the amendment; except the maximum  
4 fee under this subdivision is \$10,000.

5           2. If the restatement amends the articles to declare an indefinite number of  
6 authorized shares, \$12,500, less a credit of 1 cent for each authorized share  
7 immediately before the amendment.

8           (d) Articles of merger; \$50 for each domestic or foreign investment company  
9 that is a party to the merger, plus the following:

10           1. If the surviving domestic investment company has an indefinite number of  
11 authorized shares, \$12,500, less a credit for each share that is authorized  
12 immediately before the merger by each domestic investment company that is a party  
13 to the merger.

14           2. If the surviving domestic investment company does not have an indefinite  
15 number of authorized shares, 1 cent for each authorized share of the surviving  
16 domestic corporation after the merger, less a credit of 1 cent for each share that is  
17 authorized immediately before the merger by each domestic corporation that is a  
18 party to the merger; except the maximum fee under this subdivision is \$10,000.

19 History: 1989 a. 303; 1991 a. 16, 269; 1993 a. 214, 323, 331; 1995 a. 27, 271; 1997 a. 27.

20           **SECTION 15.** 180.0122 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
is amended to read:

21           180.0122 (2) The department shall collect ~~the fee established under s. 182.01~~  
22 ~~(4)-(e)~~ \$10 each time process is served on the department under this chapter. The

## BILL

1 party to a civil, criminal, administrative, or investigatory proceeding causing service  
2 of process may recover this fee as costs if the party prevails in the proceeding.

History: 2001 a. 16.

3 **SECTION 16.** 180.0122 (4) of the statutes, as affected by 2001 Wisconsin Act 16,  
4 is amended to read:

5 180.0122 (4) In addition to the fees required under sub. (1), the department  
6 shall collect the expedited service fee established under s. 182.01 (4) (d) for  
7 processing in an expeditious manner a document required or permitted to be filed  
8 under this chapter and shall collect the fee established under s. 182.01 (4) (f) or for  
9 preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to  
10 (3) or a statement of status under s. 180.0128 (4).

History: 2001 a. 16.

11 **SECTION 17.** 181.0122 (1) (zm) of the statutes, as affected by 2001 Wisconsin  
12 Act 16, is amended to read:

13 181.0122 (1) (zm) Request for certificate or statement of status, ~~the fee~~  
14 established under s. 182.01 (4) (b) \$5 or, if information other than the information  
15 provided under s. 181.0128 (2) is requested, \$10.

History: 2001 a. 16.

16 **SECTION 18.** 181.0122 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
17 is amended to read:

18 181.0122 (2) PROCESS FEE. The department shall collect ~~the~~ a \$10 fee  
19 ~~established under s. 182.01 (4) (e)~~ each time process is served on the department  
20 under this chapter. The party to a civil, criminal, administrative or investigatory  
21 proceeding who is causing service of process may recover this fee as costs if the party  
22 prevails in the proceeding.

History: 2001 a. 16.

**BILL**

1           **SECTION 19.** 181.0122 (4) of the statutes, as affected by 2001 Wisconsin Act 16,  
2 is amended to read:

3           181.0122 (4) **EXPEDITED SERVICE FEE.** In addition to the fees required under sub.  
4 (1), the department shall collect the expedited service fee established under s. 182.01  
5 (4) (d) for processing, in an expeditious manner, a document required or permitted  
6 to be filed under this chapter and shall collect the fee established under s. 182.01 (4)  
7 (f) or for preparing, in an expeditious manner, a certificate of status under s. 181.0128  
8 (2) or a statement of status under s. 181.0128 (4).

History: 2001 a. 16.

9           **SECTION 20.** 182.01 (4) of the statutes is repealed and recreated to read:

10           182.01 (4) **FURNISH CERTIFIED COPIES; FEES.** The department shall make a copy  
11 of any resolution, deed, bond, record, document, or paper deposited or kept by the  
12 department under this section, upon request, attach a certificate and collect 50 cents  
13 per page and \$5 for a certificate; if a copy is not to be certified and if the reproduction  
14 is performed by the department, then collect a fee to cover the actual and necessary  
15 cost of reproduction and actual and necessary cost of transcription required to  
16 produce the copy or \$2, whichever is greater; also to record any document authorized  
17 or required by law to be recorded in the department, and to charge a fee of \$1 per  
18 page. The fee for certified copies of certificates of incorporations or amendments,  
19 licenses of foreign corporations, or similar certificates, and for certificates as to  
20 results of searches of the records and files of the department, when a printed form  
21 is used, shall be \$5, but when a specially prepared form is required the fee shall be  
22 \$10. Telegraphic reports as to results of record searches shall be \$5 plus the cost of  
23 the telegram. The department shall charge and collect for preparing any record or  
24 certificate under this subsection in an expeditious manner, an expedited service fee



**BILL**

1 of \$25 in addition to the fee otherwise required under this subsection, except that  
2 only one expedited service fee may be charged for multiple identical corporation or  
3 limited partnership certificates of status if the certificates of status are requested at  
4 the same time and issued at the same time.

History: 1995 a. 27 ss. 51c, 53ad, 4733m; 1995 a. 97, 225; 1997 a. 35.

5 **SECTION 21.** 183.0114 (1) (t) of the statutes, as affected by 2001 Wisconsin Act  
6 16, is amended to read:

7 183.0114 (1) (t) Request for certificate or statement of status, the fee  
8 ~~established under s. 182.01 (4) (b) \$5.~~

History: 2001 a. 16.

9 **SECTION 22.** 183.0114 (1) (u) of the statutes, as affected by 2001 Wisconsin Act  
10 16, is amended to read:

11 183.0114 (1) (u) Processing in an expeditious manner a document required or  
12 permitted to be filed under this chapter, or preparing in an expeditious manner a  
13 certificate or statement of status, ~~the fee established under s. 182.01 (4) (d) \$25.~~

History: 2001 a. 16.

14 **SECTION 23.** 183.0114 (1) (w) of the statutes, as affected by 2001 Wisconsin Act  
15 16, is amended to read:

16 183.0114 (1) (w) Annual report of a foreign limited liability company that is  
17 ~~submitted to the department by authorized electronic means, \$65; annual report~~  
18 ~~submitted to the department on paper, \$80~~ \$50.

History: 2001 a. 16.

19 **SECTION 24.** 185.83 (1) (d) of the statutes, as affected by 2001 Wisconsin Act 16,  
20 is amended to read:

21 185.83 (1) (d) Receiving services of any process, notice or demand, authorized  
22 to be served on the department by this chapter, ~~the fee established under s. 182.01~~  
23 ~~(4) (e) \$10.~~

History: 2001 a. 16.

**BILL**

1           **SECTION 25.** 185.83 (1) (f) and (fm) of the statutes are created to read:

2           185.83 (1) (f) Answering a request for verification of the existence or status of  
3 an association, its name, the address of its principal office or the name and address  
4 of its registered agent, or the date of incorporation or issuance of a certificate of  
5 authority, the following amounts:

6           1. If written, \$4.

7           2. If conveyed by facsimile machine, \$7.

8           (fm) Answering in writing a request for information specified in par. (f) plus a  
9 list of the names and addresses of officers and directors, and the association's  
10 principal place of business, \$7; and, if the list of officers and directors exceeds one  
11 page, 50 cents for each additional page.

12 History: 1977 c. 29; 1979 c. 221; 1983 a. 27 ss. 1587, 1588, 2204 (47); 1983 a. 134; 1985 a. 29; 1985 a. 30 ss. 39m, 42; 1985 a. 338; 1987 a. 27; 1989 a. 123; 1995 a. 27.

13           **SECTION 26.** 185.83 (1) (h) of the statutes, as affected by 2001 Wisconsin Act

14           16, is amended to read:

15           185.83 (1) (h) Processing a document required or permitted to be filed or  
16 recorded under this chapter in an expeditious manner, ~~the fee established under s.~~  
17 182.01 (4) (d) or preparing the information under par. (f) or (fm) in an expeditious  
manner, \$25 in addition to the fee required by other provisions of this chapter.

18 History: 2001 a. 16.

19           **SECTION 27.** SECTIONS 9120 (2) and 9320 (1q) of 2001 Wisconsin Act 16 are  
20 repealed.

21           **SECTION 28. Initial applicability.**

22           (1) This act first applies to fees that are submitted on the effective date of this  
23 subsection.

(END)

## Emery, Lynn

---

**From:** Laundrie, Julie  
**Sent:** Monday, November 12, 2001 11:26 AM  
**To:** LRB.Legal  
**Subject:** FW: Draft review: LRB-4099/1 Topic: Corporate filing fees

Can you please jacket LRB 4099 for Senator Erpenbach (Senate)?

Thank you,

Julie

-----Original Message-----

**From:** Barman, Mike  
**Sent:** Monday, November 12, 2001 11:21 AM  
**To:** Laundrie, Julie  
**Subject:** Out of Office AutoReply: Draft review: LRB-4099/1 Topic: Corporate filing fees

I am currently out of the office.

If you need assistance on a time sensitive matter please send a message to --- [LRB.Legal@legis.state.wi.us](mailto:LRB.Legal@legis.state.wi.us) or call (608) 266-3561.

For redraft  
Call Julie  
w/ ?'s Thanks



**JON ERPENBACH**  
STATE SENATOR

- For your information.
- Per your request.
- Please let me know if I can be of further assistance.

20 South Wing, State Capitol  
P. O. Box 7882, Madison, WI 53707-7882  
608-266-6670 ■ [sen.erpensbach@legis.state.wi.us](mailto:sen.erpensbach@legis.state.wi.us)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4099/2

RJM:hmh:pg

stay

*Pratt*

*IN:12-6-01*

**2001 BILL**

*Regenerate*

1 **AN ACT** *to amend* 178.48 (2), 178.48 (3), 179.16 (5), 179.88, 180.0122 (1) (a),  
2 180.0122 (1) (m), 180.0122 (1) (n), 180.0122 (1) (o), 180.0122 (1) (om), 180.0122  
3 (1) (x), 180.0122 (1) (y), 180.0122 (1) (z), 180.0122 (2), 180.0122 (4), 181.0122 (1)  
4 (zm), 181.0122 (2), 181.0122 (4), 183.0114 (1) (t), 183.0114 (1) (u), 183.0114 (1)  
5 (w), 185.83 (1) (d) and 185.83 (1) (h); **to repeal and recreate** 182.01 (4); **to**  
6 **create** 179.16 (4), 180.0122 (1m) and 185.83 (1) (f) and (fm) of the statutes; and  
7 **to affect** sections 9120 (2) and 9320 (1q) of 2001 Wisconsin Act 16; **relating to:**  
8 *filings* fees ~~charged by the department of financial institutions for providing certain~~  
9 ~~services relating to the filing of certain documents and the regulation of~~  
10 ~~business associations~~ *for domestic corporation annual reports*

**Analysis by the Legislative Reference Bureau**

Current law authorizes the department of financial institutions (DFI) to establish by rule fees for a number of services provided by DFI relating to the regulation of business associations. Prior to 2001 Wisconsin Act 16, the amounts of these fees were set by statute. This bill restores the amounts of these fees to the amounts in effect prior to 2001 Wisconsin Act 16 and removes the authority of DFI to establish these fees by rule.

**BILL**

*Under* Current law, also establishes various fees for the filing of certain documents by corporations. Currently, these fees are as follows.

*The fee for filing a domestic corporation annual report is \$25, if the report is filed electronically, or \$40, if the report is filed on paper. Under this bill, the fee is \$25, regardless of the format of the report.*

Articles of incorporation: \$100.

Amendment of articles of incorporation: \$40.

Restatement of articles of incorporation: \$40.

Articles of merger: \$50 per corporation.

Articles of share exchange: \$50 per corporation.

Domestic corporation annual report submitted electronically: \$25.

Domestic corporation annual report submitted on paper: \$40.

Foreign corporation annual report submitted electronically: \$65, plus additional amounts under certain circumstances.

Foreign corporation annual report submitted on paper: \$80, plus additional amounts under certain circumstances.

In addition, under current law, the fee for a foreign limited liability company's filing of its annual report is \$65, if submitted electronically, or \$80 if submitted on paper. These filing fees were established under 2001 Wisconsin Act 16.

This bill restores the amounts of these filing fees, and certain other filing fees that apply specifically to investment corporations, to the amounts in effect prior to 2001 Wisconsin Act 16. Except for certain fees that apply specifically to investment companies, under this bill, these fees are as follows:

Articles of incorporation: 1 cent per authorized share, with a minimum fee of \$90 and a maximum fee of \$10,000.

Amended articles of incorporation: \$40, plus 1 cent per authorized share, less a credit of 1 cent per authorized share immediately before the amendment, with a maximum fee of \$10,000.

Restated articles of incorporation: \$40, plus 1 cent per authorized share, less a credit of 1 cent per authorized share immediately before the restatement, with a maximum fee of \$10,000.

Articles of merger: \$50 per corporation, plus 1 cent per authorized share of the surviving corporation, less a credit of 1 cent per authorized share immediately before the merger, with a maximum fee of \$10,000.

Articles of share exchange: \$50 per corporation, plus 1 cent per authorized share of the acquiring corporation after the exchange, less a credit of 1 cent per authorized share immediately before the exchange, with a maximum fee of \$10,000.

Annual report of a domestic corporation: \$25.

Annual report of a foreign corporation: \$50, plus additional amounts under certain circumstances.

Annual report of a foreign limited liability company: \$50.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

**BILL**

1       **SECTION 1.** 178.48 (2) of the statutes, as affected by 2001 Wisconsin Act 16, is  
2 amended to read:

3       178.48 (2) The department shall collect ~~the a fee established under s. 182.01~~  
4 ~~(4) (c) of \$10~~ each time process is served on the department under this chapter.

5       **SECTION 2.** 178.48 (3) of the statutes, as affected by 2001 Wisconsin Act 16, is  
6 amended to read:

7       178.48 (3) In addition to the fees required under sub. (1), the department shall  
8 collect ~~the fee established under s. 182.01 (4) (d) \$25~~ for processing in an expeditious  
9 manner a document required or permitted to be filed with the department under this  
10 chapter.

11       **SECTION 3.** 179.16 (4) of the statutes is created to read:

12       179.16 (4) The department shall charge and collect for:

13       (a) Answering a request for verification of the existence or the registration of  
14 a domestic or foreign limited partnership, its name, its current record office or agent,  
15 or the date of registration or filing of a certificate of limited partnership, the following  
16 amounts:

- 17       1. If written, \$4.
- 18       2. If conveyed by facsimile machine, \$7.

19       (b) Answering in writing a request for information specified in par. (a) plus a  
20 list of the names and addresses of the general partners and the address of the record  
21 office or, if a foreign limited partnership, its principal office or other such office  
22 required to be maintained in its state of organization, \$7; and, if the list of general  
23 partners exceeds one page, 50 cents for each additional page.

24       **SECTION 4.** 179.16 (5) of the statutes, as affected by 2001 Wisconsin Act 16, is  
25 amended to read:

**BILL**

1 179.16 (5) The department shall charge and collect, for processing a document  
2 required or permitted to be filed under this chapter in an expeditious manner, ~~the~~  
3 or preparing the information under sub. (4) in an expeditious manner, the expedited  
4 service fee established under s. 182.01 (4) (d) in addition to the fee required by other  
5 provisions of this chapter.

6 **SECTION 5.** 179.88 of the statutes, as affected by 2001 Wisconsin Act 16, is  
7 amended to read:

8 **179.88 Substituted service.** Service of process on the department under this  
9 subchapter shall be made by serving of duplicate copies of the process on the  
10 department, together with ~~the a fee established under s. 182.01 (4) (e) of \$10.~~ The  
11 department shall mail notice of the service and a copy of the process within 10 days  
12 addressed to the foreign limited partnership at its office in the state of its  
13 organization. The time within which the foreign limited partnership may answer or  
14 move to dismiss under s. 802.06 (2) does not start to run until 10 days after the date  
15 of the mailing. The department shall keep a record of service of process under this  
16 section showing the day and hour of service and the date of mailing.

17 **SECTION 6.** 180.0122 (1) (a) of the statutes, as affected by 2001 Wisconsin Act  
18 16, is amended to read:

19 180.0122 (1) (a) Articles of incorporation, \$100 1 cent for each authorized  
20 share, except the minimum fee is \$90 and the maximum fee is \$10,000 and except  
21 that the fee for investment companies is determined under sub. (1m).

22 **SECTION 7.** 180.0122 (1) (m) of the statutes, as affected by 2001 Wisconsin Act  
23 16, is amended to read:

24 180.0122 (1) (m) Amendment of articles of incorporation, \$40; plus 1 cent for  
25 each authorized share after the amendment, less a credit of 1 cent for each



**BILL**

1 authorized share immediately before the amendment; except the maximum fee  
2 under this paragraph is \$10,000 and except that the fee for investment companies  
3 is determined under sub. (1m).

4 **SECTION 8.** 180.0122 (1) (n) of the statutes, as affected by 2001 Wisconsin Act  
5 16, is amended to read:

6 180.0122 (1) (n) Restatement of articles of incorporation with or without  
7 amendment of articles, \$40; plus 1 cent for each authorized share after the  
8 restatement and any amendment, less a credit of 1 cent for each authorized share  
9 immediately before the restatement and any amendment; except the maximum fee  
10 under this paragraph is \$10,000 and except that the fee for investment companies  
11 is determined under sub. (1m).

12 **SECTION 9.** 180.0122 (1) (o) of the statutes, as affected by 2001 Wisconsin Act  
13 16, is amended to read:

14 180.0122 (1) (o) Articles of merger, \$50 for each domestic corporation and each  
15 foreign corporation authorized to transact business in this state that is a party to the  
16 merger; plus 1 cent for each authorized share of the surviving domestic corporation  
17 after the merger, less a credit of 1 cent for each share that is authorized immediately  
18 before the merger by each domestic corporation that is a party to the merger; except  
19 the maximum fee under this paragraph is \$10,000 and except that the fee for  
20 investment companies is determined under sub. (1m).

21 **SECTION 10.** 180.0122 (1) (om) of the statutes, as affected by 2001 Wisconsin  
22 Act 16, is amended to read:

23 180.0122 (1) (om) Articles of share exchange, \$50 for each domestic corporation  
24 and each foreign corporation authorized to transact business in this state that is a  
25 party to the share exchange; plus 1 cent for each authorized share of the acquiring

**BILL**

1 domestic corporation after the share exchange, less a credit of 1 cent for each share  
2 that is authorized immediately before the share exchange by the acquiring domestic  
3 corporation; except the maximum fee under this paragraph is \$10,000.

4 **SECTION 11.** 180.0122 (1) (x) of the statutes, as affected by 2001 Wisconsin Act  
5 16, is amended to read:

6 180.0122 (1) (x) Annual report of a domestic corporation that is submitted to  
7 the department by authorized electronic means, \$25; annual report of a domestic  
8 corporation that is submitted to the department on paper, \$40.

9 **SECTION 12.** 180.0122 (1) (y) of the statutes, as affected by 2001 Wisconsin Act  
10 16, is amended to read:

11 180.0122 (1) (y) Annual report of a foreign corporation that is submitted to the  
12 department by authorized electronic means, \$65, and annual report submitted to the  
13 department on paper, ~~\$80~~, \$50, and in case the annual report shows that the foreign  
14 corporation employs in this state capital in excess of the amount of capital on which  
15 a fee has previously been paid, computed as provided in s. 180.1503, an additional  
16 fee which, with previous payments made on account of capital employed in this state,  
17 will amount to \$2 for each \$1,000 or fraction thereof of the excess.

18 **SECTION 13.** 180.0122 (1) (z) of the statutes, as affected by 2001 Wisconsin Act  
19 16, is amended to read:

20 180.0122 (1) (z) Request for certificate or statement of status, the fee  
21 established under s. 182.01 (4) (b) \$5.

22 **SECTION 14.** 180.0122 (1m) of the statutes is created to read:

23 180.0122 (1m) The department shall collect the following fees when the  
24 documents described in this subsection are delivered to the department for filing by  
25 an investment company:

**BILL**

1 (a) Articles of incorporation; an amount determined as follows:

2 1. If the investment company declares an indefinite number of authorized  
3 shares, \$12,500.

4 2. If the investment company does not declare an indefinite number of  
5 authorized shares, 1 cent for each authorized share, except the minimum fee under  
6 this subdivision is \$90 and the maximum fee is \$10,000.

7 (b) Amendment of articles of incorporation; \$40, unless the amendment  
8 increases the number of authorized shares or declares an indefinite number of  
9 authorized shares, in which case an amount determined as follows shall be added to  
10 the \$40 fee:

11 1. If the amendment increases the number of authorized shares, 1 cent for each  
12 authorized share after the amendment, less a credit of 1 cent for each authorized  
13 share immediately before the amendment; except the maximum fee under this  
14 subdivision is \$10,000.

15 2. If the amendment declares an indefinite number of authorized shares,  
16 \$12,500, less a credit of 1 cent for each authorized share immediately before the  
17 amendment.

18 (c) Restatement of articles of incorporation with or without amendment of  
19 articles; \$40, unless the restatement also amends the articles to increase the number  
20 of authorized shares or to declare an indefinite number of authorized shares, in  
21 which case an amount determined as follows shall be added to the \$40 fee:

22 1. If the restatement amends the articles to increase the number of authorized  
23 shares, 1 cent for each authorized share after the amendment, less a credit of 1 cent  
24 for each authorized share immediately before the amendment; except the maximum  
25 fee under this subdivision is \$10,000.

**BILL**

1           2. If the restatement amends the articles to declare an indefinite number of  
2 authorized shares, \$12,500, less a credit of 1 cent for each authorized share  
3 immediately before the amendment.

4           (d) Articles of merger; \$50 for each domestic or foreign investment company  
5 that is a party to the merger, plus the following:

6           1. If the surviving domestic investment company has an indefinite number of  
7 authorized shares, \$12,500, less a credit for each share that is authorized  
8 immediately before the merger by each domestic investment company that is a party  
9 to the merger.

10           2. If the surviving domestic investment company does not have an indefinite  
11 number of authorized shares, 1 cent for each authorized share of the surviving  
12 domestic corporation after the merger, less a credit of 1 cent for each share that is  
13 authorized immediately before the merger by each domestic corporation that is a  
14 party to the merger; except the maximum fee under this subdivision is \$10,000.

15           **SECTION 15.** 180.0122 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
16 is amended to read:

17           180.0122 (2) The department shall collect the fee established under s. 182.01  
18 (4) (e) \$10 each time process is served on the department under this chapter. The  
19 party to a civil, criminal, administrative, or investigatory proceeding causing service  
20 of process may recover this fee as costs if the party prevails in the proceeding.

21           **SECTION 16.** 180.0122 (4) of the statutes, as affected by 2001 Wisconsin Act 16,  
22 is amended to read:

23           180.0122 (4) In addition to the fees required under sub. (1), the department  
24 shall collect the expedited service fee established under s. 182.01 (4) (d) for  
25 processing in an expeditious manner a document required or permitted to be filed

**BILL**

1 under this chapter ~~and shall collect the fee established under s. 182.01 (4) (f) or for~~  
2 preparing in an expeditious manner a certificate of status under s. 180.0128 (1) to  
3 (3) or a statement of status under s. 180.0128 (4).

4 **SECTION 17.** 181.0122 (1) (zm) of the statutes, as affected by 2001 Wisconsin  
5 Act 16, is amended to read:

6 181.0122 (1) (zm) Request for certificate or statement of status, ~~the fee~~  
7 ~~established under s. 182.01 (4) (b) \$5 or, if information other than the information~~  
8 provided under s. 181.0128 (2) is requested, \$10.

9 **SECTION 18.** 181.0122 (2) of the statutes, as affected by 2001 Wisconsin Act 16,  
10 is amended to read:

11 181.0122 (2) **PROCESS FEE.** The department shall collect ~~the a~~ \$10 fee  
12 ~~established under s. 182.01 (4) (c) each time process is served on the department~~  
13 under this chapter. The party to a civil, criminal, administrative or investigatory  
14 proceeding who is causing service of process may recover this fee as costs if the party  
15 prevails in the proceeding.

16 **SECTION 19.** 181.0122 (4) of the statutes, as affected by 2001 Wisconsin Act 16,  
17 is amended to read:

18 181.0122 (4) **EXPEDITED SERVICE FEE.** In addition to the fees required under sub.  
19 (1), the department shall collect the expedited service fee ~~established under s. 182.01~~  
20 (4) (d) for processing, in an expeditious manner, a document required or permitted  
21 to be filed under this chapter ~~and shall collect the fee established under s. 182.01 (4)~~  
22 (f) ~~or for preparing, in an expeditious manner, a certificate of status under s. 181.0128~~  
23 (2) or a statement of status under s. 181.0128 (4).

24 **SECTION 20.** 182.01 (4) of the statutes is repealed and recreated to read:

**BILL**

1           182.01 (4) FURNISH CERTIFIED COPIES; FEES. The department shall make a copy  
2 of any resolution, deed, bond, record, document, or paper deposited or kept by the  
3 department under this section, upon request, attach a certificate and collect 50 cents  
4 per page and \$5 for a certificate; if a copy is not to be certified and if the reproduction  
5 is performed by the department, then collect a fee to cover the actual and necessary  
6 cost of reproduction and actual and necessary cost of transcription required to  
7 produce the copy or \$2, whichever is greater; also to record any document authorized  
8 or required by law to be recorded in the department, and to charge a fee of \$1 per  
9 page. The fee for certified copies of certificates of incorporations or amendments,  
10 licenses of foreign corporations, or similar certificates, and for certificates as to  
11 results of searches of the records and files of the department, when a printed form  
12 is used, shall be \$5, but when a specially prepared form is required the fee shall be  
13 \$10. Telegraphic reports as to results of record searches shall be \$5 plus the cost of  
14 the telegram. The department shall charge and collect for preparing any record or  
15 certificate under this subsection in an expeditious manner, an expedited service fee  
16 of \$25 in addition to the fee otherwise required under this subsection, except that  
17 only one expedited service fee may be charged for multiple identical corporation or  
18 limited partnership certificates of status if the certificates of status are requested at  
19 the same time and issued at the same time.

20           **SECTION 21.** 183.0114 (1) (t) of the statutes, as affected by 2001 Wisconsin Act  
21 16, is amended to read:

22           183.0114 (1) (t) Request for certificate or statement of status, ~~the fee~~  
23 established under s. 182.01 (4) (b) \$5.

24           **SECTION 22.** 183.0114 (1) (u) of the statutes, as affected by 2001 Wisconsin Act  
25 16, is amended to read:

**BILL**

1           183.0114 (1) (u) Processing in an expeditious manner a document required or  
2 permitted to be filed under this chapter, or preparing in an expeditious manner a  
3 certificate or statement of status, ~~the fee established under s. 182.01 (4) (d) \$25.~~

4           **SECTION 23.** 183.0114 (1) (w) of the statutes, as affected by 2001 Wisconsin Act  
5 16, is amended to read:

6           183.0114 (1) (w) Annual report of a foreign limited liability company that is  
7 submitted to the department by authorized electronic means, \$65; annual report  
8 submitted to the department on paper, \$80 \$50.

9           **SECTION 24.** 185.83 (1) (d) of the statutes, as affected by 2001 Wisconsin Act 16,  
10 is amended to read:

11           185.83 (1) (d) Receiving services of any process, notice or demand, authorized  
12 to be served on the department by this chapter, ~~the fee established under s. 182.01~~  
13 ~~(4) (e) \$10.~~

14           **SECTION 25.** 185.83 (1) (f) and (fm) of the statutes are created to read:

15           185.83 (1) (f) Answering a request for verification of the existence or status of  
16 an association, its name, the address of its principal office or the name and address  
17 of its registered agent, or the date of incorporation or issuance of a certificate of  
18 authority, the following amounts:

- 19           1. If written, \$4.
- 20           2. If conveyed by facsimile machine, \$7.

21           (fm) Answering in writing a request for information specified in par. (f) plus a  
22 list of the names and addresses of officers and directors, and the association's  
23 principal place of business, \$7; and, if the list of officers and directors exceeds one  
24 page, 50 cents for each additional page.

**BILL**

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**SECTION 26.** 185.83 (1) (h) of the statutes, as affected by 2001 Wisconsin Act 16, is amended to read:

185.83 (1) (h) Processing a document required or permitted to be filed or recorded under this chapter in an expeditious manner, the fee established under s. 182.01 (4) (d) or preparing the information under par. (f) or (fm) in an expeditious manner, \$25 in addition to the fee required by other provisions of this chapter.

~~SECTION 27. SECTIONS 9120 (2) and 9320 (1a) of 2001 Wisconsin Act 16 are repealed.~~

**SECTION 28. Initial applicability.**

(1) This act first applies to fees that are submitted on the effective date of this subsection.

(END)

INSERT 12-8



2001-2002 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-4099/2ins  
RJM:.....

INSERT 12-8

*LPS:  
Check  
component  
Action: Act: amend*

*NO  
CS*

SECTION 1. SECTION 9320 (1q) of 2001 Wisconsin Act 16 is amended to read:

SECTION 9320 (1q) FEEES. The treatment of sections 180.0122 (1) (a), (m), (n), (o), (om), ~~(x)~~, and (y) and 183.0114 (1) (w) of the statutes first applies to fees that are submitted on the effective date of this subsection.

*[2001 Wisconsin Act 16] Section*