

ORDER OF THE
STATE OF WISCONSIN
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF CORPORATE AND CONSUMER SERVICES

The State of Wisconsin, Department of Financial Institutions, Division of Corporate and Consumer Services proposes an order to create ch. DFI—CCS 10 relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives.

Analysis Prepared by the Department of Financial Institutions, Division of Corporate and Consumer Services:

An order to create ch. DFI—CCS 10, relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives. Analysis: Statutory authority: ss. 182.01(4), 180.0122(1)(x), 180.0122(1)(y), 183.0114(1)(w), 183.0114(3) and 227.11 (2), Stats. Statutes interpreted: 182.01(4). Summary: 2001 Act 16 amended ss. 178.48(2) and (3), 179.16(5), 179.88, 180.0122(1)(z), (2) and (4), 181.0122(1)(zm), (2) and (4), 183.0114(1)(t) and (u), and 185.83(1)(d) and (h); repealed s. 179.16(4), 180.0122(1m), and 185.83 (1)(f) and (1)(fm); and repealed and recreated s. 182.01(4), Stats. The act authorizes the Department of Financial Institutions to adopt rules relating to certain fees regarding partnerships, corporations, limited liability companies and cooperatives. In addition, 2001 Act 44, amended ss. 180.0122(1)(x), 180.0122(1)(y), 183.0114(1)(intro.) and 183.0114(1)(w); created ss. 183.0114(3) and 180.0122(5) in authorizing the Department to specify, by rule, different fees for documents filed with it in paper format. The proposed rule sets these fees. Agency person to be contacted for substantive questions and responsible for the agency's internal processing: Mr. David Duecker, Department of Financial Institutions, Division of Corporate and Consumer Services, tel. (608) 264-9566. Pursuant to the statutory authority referenced above, the Department of Financial Institutions, Division of Corporate and Consumer Services adopts the following:

SECTION 1: CHAPTER DFI—CCS 10 is created to read:

CHAPTER DFI—CCS 10

FEES

DFI—CCS 10.01 Fees under s. 182.01(4), Stats. The following fees apply to all of the following under s. 182.01(4), Stats.:

(1) For preparing and supplying copies or certified copies of any resolution, deed, bond, record, document or paper deposited with or kept by the department:

(a) *Certified copies:* \$10.00.

(b) *Non-certified copies:* \$5.00.

(c) *Information report*: \$5.00.

(2) For issuing certificates or statements, in any form, relating to the results of searches of records and files of the department:

(a) *Certificate of status or statement of status*: \$10.00.

(b) *Certificate of status or statement of status – special remarks*: \$10.00.

(c) *Certificate of status or statement of status – no record*: \$10.00.

(d) *Certificate of status or statement of status – long form*: \$10.00.

(3) For processing any service of process, notice, or demand served on the department: \$10.00.

(4) For processing, in an expeditious manner, a document required or permitted to be filed with the department: \$25.00.

(5) For preparing, in an expeditious manner, any copies, certified copies, certificates, or statements: \$25.00.

10.02 Filing and service fees under s. 180.0122, Stats. The following fees shall apply under s. 182.0122, Stats.:

(1) For filing an annual report of a domestic corporation: \$25 by authorized electronic means; \$40 by paper.

(2) For filing an annual report of a foreign corporation submitted on paper: \$80, and in the 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.

10.03 Filing and service fees under s. 183.0114, Stats. The following filing and service fees shall apply under 183.0114, Stats.:

(1) Annual report of a foreign limited liability company submitted on paper: \$80.

(2) For filing articles of organization for a limited liability company: \$130 by authorized electronic means; \$170 by paper.

This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

Dated: _____

Agency: _____

David Duecker, Administrator
Department of Financial Institutions
Division of Corporate and Consumer
Services